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AFTER THE POLICE MURDER OF ERIC GARNER:

DEMONSTRATIONS VS. KILLER COPS REACH CRITICAL MASS

By Gabby Sloan

From August through December 2014, national and international protests over police killings of unarmed Black men, including Eric Garner, in Staten Island, on July 17, 2014, and Michael Brown, in Ferguson, Missouri, on August 9, reached a critical mass, as demonstrations, street actions and civil disobedience erupted in cities across the United States.

Weeks of massive demos in Manhattan followed a Staten Island grand jury decision to not indict Officer Daniel Pantaleo for the murder of Eric Garner, who died as the result of an illegal choke-hold used on him by Pantaleo.

The choke-hold killing of Garner, a large man who weighed more than 300 pounds with a history of diabetes and heart disease, was captured on cell phone videos made by two eyewitnesses. The videos show Pantaleo and other cops approaching Garner with no just cause, attempting to arrest him for allegedly selling un-taxed cigarettes, though Garner has no cigarettes in his hands. After Garner asks the cops to stop harassing him, Pantaleo wraps his arm tightly around Garner's neck. Cops accompanying Pantaleo join him in taking Garner down to the ground as Pantaleo continues to squeeze Garner's throat in a chokehold. In the videos, Garner can be seen with his arms and hands outstretched, not defending himself in any way, demonstrating that he is not resisting. During the take-down, Garner repeatedly cries out "I can't breathe", but Pantaleo maintains his death grip on Garner's throat. Within a few minutes, Garner loses consciousness and dies. On August 1, the Staten Island medical examiner ruled Garner's death as a homicide, due to "compression of the neck."

DISTRICT ATTORNEY MAKES INDICTMENT-PROOF DEALS FOR COPS

On August 19, Staten Island District Attorney Daniel M. Donovan, Jr. announced that the case against Pantaleo would go to a grand jury, which began hearings on September 29. On November 21, Pantaleo testified before the grand jury for about two hours, giving his account of Garner's death. On December 3, the grand jury decided not to indict Pantaleo.

In exchange for their grand jury testimony, Donovan gave immunity to the cops, including two sergeants, that participated in the take-down and killing of Garner. One of the sergeants, Kizzy Adoni, a Black female, supervised the attack on Garner, but at no time did she order Pantaleo to stop choking him. Other cops on the scene included Justin D'Amico, Craig Furlani, Christopher Maldonado, William Meems and Mark Ramos. When Pantaleo was not indicted, testimony by the other cops was no longer necessary. As a result of their immunity deal, none of the other cops could be criminally-charged either.

One person was indicted in the aftermath of the Garner killing, however. Ramsey Orta, who video-taped Eric Garner's final moments on July 17 was arrested on weapons charges two weeks later, on August 2, just blocks from where Garner was killed. Orta's mother, Emily Mercado, told reporters that police had been following her son ever since he recorded Garner's killing by cops. "They've been following him," she said. "They've been sitting in front of my house. They put spotlights in my window." Orta was indicted by a grand jury on September 1, charging him with felony counts of third degree criminal weapon possession and criminal firearm possession, alleging that Orta had stuffed a handgun into the

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Officer Daniel Pantaleo begins chokehold on Eric Garner, who does not resist.

SHADOW EDITORIALS

THE SHADOW DECLARES PEACE ON ISLAM

Resist the Temptation to Join the Lynch Mob!!

Je Suis Charlie — the SHADOW is Charlie Hebdo.
Because we inquire and expose. And ridicule.

Whenever something classified as a "terrorist attack" occurs, whether it's bombings of subways (London + Madrid) or buildings (Oklahoma City) or running hijacked jets into buildings that suddenly collapse (World Trade Center), we must always ask: "WHO BENEFITS?"

Since the murders of twelve people at the office of French counter-cultural magazine Charlie Hebdo on January 7, we have seen the stock value of the right wing of French society, Muslim-bashers, and war-mongers in general, rise sharply.

In the aftermath of the Charlie Hebdo murders, folks could believe what they've been fed by government and media about two Muslim brothers avenging perceived insults to Mohammed and Islam by executing Charlie Hebdo cartoonists and staffers and join the lynch mob against Muslims to vent their rage over this atrocity. Or they could THINK first. Who benefits from this? Certainly not Islam or the Muslim community.

Charlie Hebdo has mocked all religions — Catholic and Jewish fanatics have fared as badly as the Muslim ones — and Charlie Hebdo has also gone after secular sleaze bags, like conservative former French president Nicholas Sarkozy and lecherous multi-millionaire Socialist Dominique Strauss Kahn.

Since the Charlie Hendo murders, there was the spectacle of Israeli Prime Minister and international troublemaker Benjamin Netanyahu joining arms with leaders of France and Europe. Then a French aircraft carrier speeding off to the coasts of the Levant, into what had 100 years ago been French colonial waters. Then French Parliament voting 488–1 to expand its air strikes in Syria.

Now that French Parliament is considering giving the government vastly-increased powers to spy on its citizens in the name of defending "freedom", as left-leaning parliamentarians who might have opposed this in the past are not speaking out, we see that the enemies of freedom within French society have greatly profited from the murders at Charlie Hebdo. Those murders are proving extremely useful to those who want France to play a more warlike and less conciliatory role in the world.

When observing world events, we must realize that everything we see is reflected through a looking glass being held up to us by the mainstream corporate media, and determined by the parties who own and control that media. The more we do our own research, the more clear it becomes that we are told what they want us to "know" and that they have been LYING to us all of our lives!

The Charlie Hebdo murders bring to mind the events of September 11, 2001. In both cases, the minds of an entire nation and continent are transformed. Very quickly, too quickly, we learn the identities of the killers. Later, it turns out that the government knew of the perpetrators all along, had them under surveillance, but could not prevent them from carrying out their goals. Considering the similarities with 9/11, it is inevitable that anomalies and questions, like those exposed and raised by the 9/11 Truth Movement, will also be raised about the Charlie Hebdo murders.

We at the SHADOW have not spent the past 25+ years exposing evil-doers and opposing war and racism, only to end up in the camp of imperialism on the basis of what they are telling us about Muslim "extremists" or "terrorism".

We REFUSE to join the lynch mob against Muslims, nor will we be intimidated by anyone, regardless of political or religious persuasion.

We will honor our murdered colleagues at Charlie Hebdo by continuing to stand up for our own press freedom, and by continuing to expose the BIG LIES wherever we see them.

Je Suis Charlie — the SHADOW is Charlie Hebdo.

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MAYOR DE BLASIO: SAVE NYC'S CHARACTER

By Jeremiah Moss

For the past dozen years, more than ever, New York City has been dying. It's getting murdered by rising rents, suburbanization, rampant development, and an unrestrained flood of chain businesses.

During the Bloomberg years, New York City lost a staggering number of small businesses, many of them long lived cultural touchstones, including CBGB's, Bleecker Bob's, Bill's Gay Nineties, the Stage Deli, McHale's Bar, Lenox Lounge, Restaurant Gino, Carmine's at the Seaport, Coliseum Books and countless others.

Combined, thousands of years of business history were wiped out, thanks to massive rent hikes and skyrocketing property values of corporate sponsored hyper gentrification.

In most cases, rents doubled, tripled and more. Colony Records had thrived in Times Square for 60 years, until its new landlord reportedly quintupled the rent. After 24 years in the once gritty, now glamorous Meatpacking District, ever popular Restaurant Florent had its rent shoot up nearly tenfold, from $6,000 to $50,000 per month.

What has replaced these cherished, quintessentially New York businesses? Almost entirely, it's been national chains, bank branches or upscale boutiques and restaurants.

Many hoped that this hemorrhaging would decrease once Mike Bloomberg left office. After all, Mayor de Blasio promised to heal the "tale of two cities." We know that trends don't shift the minute a new mayor claims City Hall, but the bleeding is only getting worse.

It seems that every week we hear of another authentic New York spot vanishing, from Gray's Papaya and Shakespeare & Co. Booksellers to little Jim's Shoe Repair (on East 59th Street since 1932, it's getting pushed out so that Walgreens' Duane Reade store can expand into its space). The stunning loss of Cafe Edison, after a major fight from community members and politicians, including the mayor, shows us that we are powerless without legislation to back us up.

Soon there will be no New York left in New York City. The city is becoming, for the first time in its long and illustrious history of exceptionalism, just another "Anywhere, U.S.A."

What has de Blasio done to protect New York's small businesses and control the virulent spread of national chains? Nothing much.

Before he was elected, I asked de Blasio in an online Q&A what he planned to do. In his response, he called small businesses "incredibly important to the character and strength of our neighborhoods" and said he wanted to follow the example of the Upper West Side's "mom and pop" re-zoning, designed to protect small shops from being forced out for chains.

That's actually a fairly weak re-zoning, but it's a start — one that de Blasio has yet to follow through on. It's time for the mayor to step up and take action against the destruction of the city's character.

Shopping local only goes so far when landlords routinely double, triple, and quadruple commercial rents, or simply deny a lease to their long term business tenants. We can buy all the books, booze, and bowls of matzo ball soup we want, but without legislation and regulation we are powerless against the landlords. And forget about appealing to their "humanity." It does not exist.

Continued on page 22

January 14 issue of Charlie Hebdo: "ALL IS FORGIVEN"

BROKEN WINDOWS AND BROKEN LIVES

By A. Kronstadt

The murders of NYPD Officers Rafael Ramos and Wenjian Liu on December 20, reportedly by Ismaaiyl Abdullah Brinsley, are as tragic as those of American soldiers overseas who have perished on behalf of U.S. expansionism and oil money.

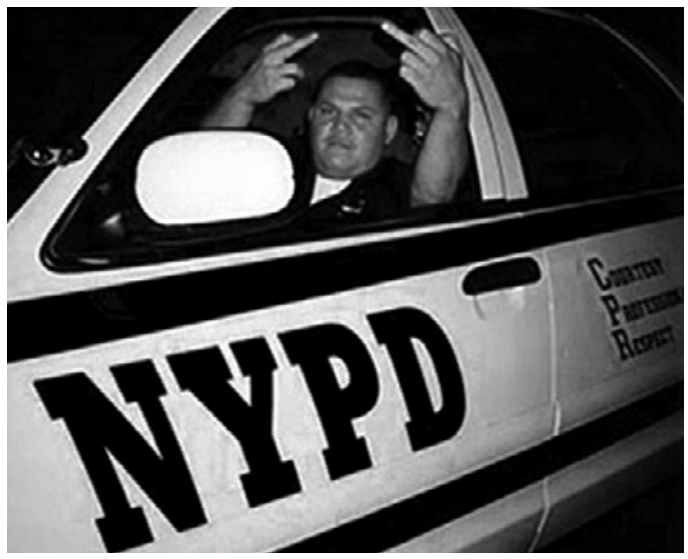
Armies of police officers are being sent into low income communities in Brooklyn in order to prepare them for gentrification by suppressing and jailing the current inhabitants, and criminalizing more aspects of everyday behavior. Their presence has made it impossible for people to even socialize normally. Beer drinking, pot smoking, or even the very act of being on the street or in a park have been targeted by the police as gateways to major crime in a bizarre conservative theory called "Broken Windows", which was first espoused by then-mayor Ed Koch and applied systematically under mayor Rudolph Giuliani. It is a shame that most New Yorkers did not know the name of this dreadful policy until after Eric Garner of Staten Island was killed by police during a violent arrest for allegedly selling loose cigarettes.

The "Broken Windows" theory was cooked up by certain conservative eggheads at the Manhattan Institute, an elitist midtown think tank. The name refers to the idea that one broken window leads to other windows being broken. Giuliani and his first police Commissioner, William Bratton, extended this to mean that by meting out harsher punishment for smaller crimes, like drinking in public and smoking marijuana, more serious crime could be prevented.

Drinking in public did not become illegal in NYC until 1979. The City Councilmember who pushed for the measure anticipated that it "would not affect Con Ed workers having a beer with their lunch" but intended to give the police a tool for controlling the population of winos. Likewise, the law against selling "loosies" that got Eric Garner killed was enacted only recently, during Mayor Michael Bloomberg's anti smoking crusade.

Those of us who have lived in the city long enough remember that marijuana was decriminalized in 1976, and that in the years thereafter, people smoking pot in public were often ignored, or at most, given a summons. It was Giuliani who, about a year into his regime, instituted a policy of jailing every person arrested for committing these "violations", which are not even described as "crimes" in the statutes.

Mayor De Blasio too has the option of giving out tickets instead of jailing people for these violations, including public pot smoking, which the State Legislature stealthily upgraded to a misdemeanor in the 1980s, but which people were rarely arrested for until 1995. Instead, he stands by Bratton like a faithful dog, defending this evil "Broken Windows" theory. If he truly reverses Giuliani's policies in this area, De Blasio will be remembered as a good mayor.



"Courtesy. Professionalism. Respect"

IT'S MORE THAN JUST RACISM IT'S THE KRIMINAL KOP KULTURE!

By Christopher X. Brodeur

Police murders and abuse are not just racially motivated, though minorities are the most common targets.

Police work appeals to bullies, thieves, racists, and sadists that seek to perpetrate their crimes with the impunity such a position offers. There is no effective psychological testing done to weed out such individuals, and the present "code of silence" police culture intimidates and forces the cooperation of more highly motivated officers in covering up police misconduct. Did they learn this from organized crime, or vice versa? Are the police an organized criminal organization themselves?

The protests over the police choking death of Eric Garner have not advocated specific, practical remedies. A specific agenda is needed if the protests are to be taken seriously and have a lasting reformative effect.

- **We must DEMAND the firing of all cops with a history of brutality, abuse and corruption.**
- **We must DEMAND the psychological testing of all police job applicants to prevent the hiring of such scum.**
- **The PBA and other police unions MUST be investigated for conspiracy, a pattern of conduct to cover up criminal acts by their members.**
- **Police union officials MUST be replaced by officers with a sense of integrity sufficient to ensure justice for the victims when a cop becomes a criminal.**

"We can't breathe" signs and chants are not doing anything. "We won't pay you to kill us!" is more to the point. These fascists WORK FOR US. Would you hire a personal bodyguard that beats you up every so often? FIRE THE BASTARDS and DEMAND that the reformed police departments start working for the people, never against them!

MARIO CUOMO: 1932–2015

A TALE OF TWO CUOMOS

The Tragic End of the Inspired Voice and the Duplicitous Pol

By Greg Palast

[January 3, 2015] I knew Mario Cuomo well. Too well.

I helped write the talking points for the speeches that got him elected governor and I grieved that he did not become president.

But there was another Cuomo, the one who tried to stop the US publication of my book "The Best Democracy Money Can Buy"; the Mario Cuomo who went to court to try to put the Palast Investigative team out of business while we worked to expose the Bush Family election heist and the con job leading to war.

I just read the glowing New York Times obit. Even in death, Cuomo has pulled off one last con. The Times lauds his single stellar accomplishment as governor: "He closed the Shoreham nuclear plant on Long Island," New York.

No, he didn't. As usual with Mario, he gave a great speech—and won election by calling for the nuclear plant's closure. But behind the scenes, the other Mario, the back room wheeler dealer, the toady to the bankers and power industry magnates, moved heaven and earth to stand in the way of the courageous statesmen and activists who actually closed this dangerous, radioactive monstrosity.

On July 2, 1985, the New York State Legislature was about to pass the historic law authorizing the public takeover of the out of control private company that owned Shoreham. Near midnight, one of Cuomo's stooges called me (the legislature had tasked me to write the law's first draft) to ask that we delay the vote, "because the governor still hasn't made up his mind." I said, "Tell Governor Hamlet that history won't wait for him."

The bill passed the next day—and Cuomo made a big show of signing the bill he secretly tried to dilute and kill. But I admit, he gave a great speech.

After nearly a decade of investigation, I recommended that the government bring civil racketeering charges against the builders of the Shoreham nuclear plant for, among other frauds, falsifying records on the plant's earthquake safety and emergency diesel generators. (See the "Fukushima, Texas" chapter in "Vultures' Picnic.") Charges were brought, and a federal jury found the nuclear industry bigs liable for conspiracy, fraud, and racketeering.

The jury award would cost the plant owner $4.3 billion.

In public, Governor Cuomo praised the jury verdict; but behind the scenes the other Cuomo went to work, scheming in back rooms to cut the award and save the company from bankruptcy—and save the banks that held its bonds. Daily, the judge's master would tell us, "The governor called again." There's nothing corrupt or illegal about the governor secretly calling the judge's chamber, just two faced and sickening.

Cuomo won. He got the case settled, over the objections of the officials and activists who had brought the charges, for less than a dime on the dollar. The public got shafted out of billions, and the company and banks were saved.

Cuomo took full credit for putting the rogue company out of business, for closing the plant and buying it for just $1. It was a great speech—a great fairy tale.

Cuomo's little games meant the nuclear plant would cost the public billions of dollars, not a buck. When I tactfully explained this uncomfortable fact to the governor, he responded with an Italian gesture that cannot be translated in a family newspaper.

But duplicity has its price, and the Devil has the last laugh. While Cuomo was pleasing the bankers in private while publicly waving the liberal anti corporate banner, a much brighter politician in Arkansas both pleased the bankers and sang their praises. The bankers' favorite, their champion of the deregulation that Reagan could never dream of accomplishing, became president. And Cuomo spent his last, bitter years trying to hush up those like me who cast a shadow on his fabricated Glory Days.

Let me name a few of those who did close the Shoreham nuclear plant: Peter Maniscalco, Nancy Newell, Steve Liss, the Hon. Wayne Prospect, and the Hon. Paul Harenberg. I name them here because I doubt their obituaries will make the front page of The Times. They are the heroes, all of them bullied by Cuomo but unbowed. I cherish them for their actions, not their speeches.

It is the harsh and uncomforting work of a journalist to reveal the unforgiving facts when history is falsified. It's a task I would rather avoid, especially now that The Governor's great, golden voice, the voice that spoke for the working person, is silenced forever.

The conflicted soul he carried within him must have been a terrifying burden.

Now, may you rest in peace, Mario Cuomo. Both of you.

[Greg Palast is the author of the New York Times bestsellers Billionaires & Ballot Bandits, The Best Democracy Money Can Buy and the highly acclaimed Vultures' Picnic. Palast is a Puffin Foundation Fellow for Investigative Reporting.]

SHELLY SILVER'S ANTONIO PAGÁN FACTOR:

How The One Percent Stole The Lower East Side

By Paul DeRienzo

Feb. 28, 1992: City Hall Press Conference to Announce a One-Year Moratorium on Events in the Newly-Reopened Tompkins Square Park, with State Sen. Martin Connor, State Assembly Speaker Sheldon Silver, City Council Member Antonio Pagán, City Council President Andrew Stein and State Assemblyman Steven Sanders [Photo by Chris Flash]

On January 22, New York State Assembly Speaker Sheldon Silver was charged with mail fraud, wire fraud, and extortion, along with allegations of conspiracy to commit extortion and mail fraud. Silver is also accused of "using the power and influence of his official position to obtain for himself millions of dollars of bribes and kickbacks masked as legitimate income."

Silver was arrested by FBI agents, charged with receiving $4 million dollars in bribes and kickbacks dating back to at least 2000. Silver was one of the "three men in a room," including Governor Andrew Cuomo and New York State Senate GOP Leader Dean Skelos, who decide most legislation in Albany. Silver's arrest came after the mysterious disbanding by Governor Cuomo of the governor's Moreland Commission that was investigating corruption in the state legislature.

United States Attorney Preet Bharara accuses Silver of funneling payments to his law firm Goldman & Iriyami, from billionaire developers who were benefitting from legislation Silver backed in Albany. Among the charges is that he took bribes from developers to sell out tenants during the 2011 renewal of NYC rent regulations.

The 70 year old Silver was ignominiously taken on the "walk of shame", driven off by cops with his hands cuffed behind his back and later released on $200,000 bond. Silver told reporters: "The issues will be addressed, and I am confident I will be vindicated."

Silver became Speaker in 1994, rising to power from his base of support among the residents of the Grand Street Houses on the Lower East Side. Despite Silver's popularity with his base, he was a divisive figure and supported many of the changes that have led to the hyper-gentrification on the Lower East Side, following the 1988 Tompkins Square Riot.

Homeless people and activists of Tompkins Square Park knew Silver as a sponsor of and political mentor to aspiring right-wing politician Antonio Pagán, who benefitted from re-districting that gerry-mandered Lower Manhattan's political representation in his favor by splitting the Lower East Side from Chinatown, joining the new district with the Gramercy Park area. This added thousands of relatively well-off and wealthy new voters to the district, while cutting out traditional working class and activist-oriented neighborhoods, which enabled Pagán in 1992 to win the City Council seat held by longtime liberal Councilmember Miriam Friedlander.

Silver has been well known for preventing low-income people from moving into the projects along Grand Street that have served as Silver's base. As early as 1985, Village Voice reporter William Bastone wrote that Silver was "a notorious symbol of anti-minority politics on the Lower East Side." In 1987, a Federal judge ruled that the Grand Street houses were involved in "a pattern of intentional racial discrimination in allocating apartments under their control."

On August 6, 1988. A police riot at Tompkins Square Park led to a homeless tent city and occupation of the park that lasted for three years. At that time, City Councilperson Miriam Friedlander had represented the Lower East Side for more than 14 years. Although Friedlander believed in the system, she was no fool when it came to the power of her enemies, including landlords and conservative residents that wanted to see more development in the area.

The fate of the Lower East Side was tied to the future of what was at the time the city's most diverse neighborhood, that included a hotbed of avant guard artists and radical politics. Friedlander's challenger, Antonio Pagán, a former ally of Friedlander and her supporters at the Joint Planning Council [JPC], went to the dark side and became a shill for real estate interests. It was Pagán who, as a member of the "Community" Board in July 1988, gave the okay for police to evict the community from their park, using extreme violence to enforce a non-existent midnight park curfew. When the community resisted, police

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TARNISHED SHELDON SILVER:

Right Winger, Sellout, and Crook

By A. Kronstadt and Chris Flash

Sheldon Silver has "represented" Manhattan's Lower East Side in the New York State Assembly since 1977. On January 22, Silver was arrested, charged with 5 counts of mail fraud, wire fraud, extortion and conspiracy.

Researching Silver's history, it becomes clear that he has not simply violated laws and legal statutes. He has also violated the public's trust for almost 40 years, betraying his constituents and the citizens of New York City while enriching himself.

What follows are some of Silver's worst transgressions (that we know about—there are certainly more that may or may not become known in time):

1. SUPPORT FOR THE DEATH PENALTY. Silver was instrumental in the reinstatement of the death penalty in New York State in 1995. The bill passed was ruled unconstitutional by the New York Court of Appeals in 2004. Silver helped earmark six figures of state money to build Governor George Pataki's state-of-the-art lethal injection chamber at the Sing Sing penitentiary, in Ossining, NY, which has never been used to carry out a single execution.

Gov. Andrew Cuomo + Assembly Speaker Sheldon Silver

2. COVER-UPS OF SEX CRIMES BY SILVER STAFFER + ASSOCIATES. In 2001, Silver defended his chief counsel, J. Michael Boxley, after a 25 year old Republican assemblyman's aide accused him of raping her. She claimed that Silver continued "eating pretzels, with nonchalance and with rudeness" as she described the rape to him. The Assembly's investigation was inconclusive, and the woman chose not to go to police. Still, Silver continued employing Boxley. Two years later, another woman charged Boxley with rape. He later resigned and pleaded guilty to sexual misconduct.

After several women accused Assemblyman Vito Lopez of sexual harassment, including groping and making sexual remarks to them, a 2013 state ethics report found that Silver failed to investigate and tried to cover up the allegations. Lopez was eventually censured and resigned. There were also complaints about Silver's handling of a young staffer's claim in 2013 that Assemblyman Micah Kellner sexually harassed her.

3. RACIAL HOUSING DISCRIMINATION. Sheldon Silver began his political career in 1976, running for a State Assembly seat as a resident of the Grand Street Houses, co ops built for mostly middle class Jewish residents along Grand Street, near the Williamsburg Bridge.

In 1987, a Federal judge ruled that the Grand Street Houses, where Silver has his base of support, were involved in "a pattern of intentional racial discrimination" in allocating apartments under their control. Former City Councilmember Miriam Friedlander and others fought for years to bring Blacks and Latinos into the Grand Street Houses, but Silver, an Orthodox Jew himself, invariably defended his Jewish base.

4. SABOTAGE OF SEWARD PARK DEVELOPMENT. In 1967, the city leveled 20 acres on the southern side of Delancey Street, east of Essex Street, displacing hundreds of businesses and thousands of low income, largely Puerto Rican families, with a promise that they would be able to return to new low income apartments that would be built there.

The site, which came to be known as the Seward Park Urban Renewal Area, remained empty as Silver kept a lid on the project until his developer friends were ready to move in. Silver and his pal, Metropolitan Council on Jewish Poverty CEO William Rapfogel, were accused of promoting specific plans for favored developers, which would maintain the area's Jewish identity at the expense of other communities, opposing housing which would have changed the demographics of the neighborhood with more Asian and Hispanic residents.

Stalling to make sure that promised affordable housing for neighborhood residents never got built, Silver proposed one pie in the sky idea after another for the site, including a Costco big box store to be built as part of a project headed by Bruce Ratner, developer of the Barclay Center in Brooklyn. Before the Costco project quietly disappeared from the table, Ratner raised $1 million for the Metropolitan Council on Jewish Poverty and hired Michael Rapfogel, son of William Rapfogel, as an executive in his organization.

In 2013, the site was sold by the city to L+M Development Partners, BFC Partners, and Taconic Investment Partners, for $180 million, for the construction of co ops and mostly market-rate housing, to be called the Essex Crossing project, with a handful of "middle income" units that will price out any displaced original residents of the Seward Park development site who are still alive.

After the NY Times published a report on Silver's decades long effort to block low income housing on the site, Silver claimed that they had the wrong Sheldon Silver and requested a correction, but dropped it when he was presented with documents on his official stationery.

5. SUPPORT FOR ANTONIO PAGÁN FOR CITY COUNCIL. Sheldon Silver sponsored and ran Community Board Three member Antonio Pagán in his successful 1991 bid for the New York City Council seat held by Miriam Friedlander. Pagán won a two year term in the 1992 "interim election" by only a handful of votes that many considered improperly tabulated. Pagán, who gave lip service to "Puerto Rican empowerment", was merely an extension of Silver. As head of the City Council's Land Use Committee, Pagán

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HOW CUOMO'S MORELAND COMMISSION FACTORED INTO SHELDON SILVER'S ARREST

[Excerpted From Syracuse.com]

The Commission to Investigate Public Corruption (aka the Moreland Commission) was created by Governor Andrew Cuomo in 2013, with the aim of investigating politicians and political organizations in New York for violations of state laws regulating elections, campaigns and political fund raising. Cuomo disbanded the Commission in March 2014, just months after its co chair, Onondaga County District Attorney William Fitzpatrick, said it had uncovered unspecified criminal activity, and not long after it had subpoenaed records from Sheldon Silver and from the law firms from which Silver allegedly received millions of dollars that he failed to reveal in state financial disclosure records. U.S. Attorney Preet Bharara publicly criticized the governor for halting the Commission's work, calling it a "premature end" that was "difficult to understand."

The government's investigation into Silver started in June 2013, according to the complaint, one month before Cuomo formed the Moreland Commission. A few days after Cuomo dismantled the Commission, Bharara requested and received files and documents from the panel. That data included the Commission's work in investigating legislators' outside income. Some of the documents and leads Bharara received from the Commission "are reflected in this complaint," the legal papers against Silver read.

Here's a timeline of the Moreland Commission and the investigation into Silver, according to the federal prosecutor's complaint, press conferences and news reports during the past 18 months:

- June 2013: Federal prosecutors launch a grand jury investigation into the outside income of Silver.
- July 2, 2013: Cuomo creates the Moreland Commission, a panel with subpoena power to examine New York's weak campaign finance laws, propose changes and investigate any suspected wrongdoing, including earnings associated with lawmakers' outside incomes.
- August 29, 2013: The Commission sends a letter to lawmakers earning more than $20,000 in outside income, requesting information about that income. Many lawmakers, including Silver, do not comply.
- September October 2013: Cuomo faces questions about whether his administration is interfering with the Moreland Commission.
- November 2013: Fitzpatrick says publicly that the Commission has uncovered illegal activity, though he doesn't specify what it is or whether it involves lawmakers. Lawmakers, including Silver, fight requests from the Commission to disclose more information about their private sector incomes. The Commission subpoenas employers of any state lawmaker with an outside income of more than $20,000. That includes Weitz & Luxenberg, the law firm paying Silver. The subpoena requests records concerning "clients advised or represented by Assembly Speaker Sheldon Silver, and a general description of the services provided by the (speaker)...," the complaint says.
- December 2013: The Commission releases its initial report, which includes worries about potential political kickbacks or money earned for no show jobs. The report does not make any specific allegations against any specific lawmaker. Also in this month, Silver leads the Assembly (while Sens. Jeff Klein and Dean Skelos do the same in the Senate) to file a motion in State Supreme Court to quash the legal request. Weitz & Luxenberg also files its own motion to quash the subpoena.
- February 25, 2014: Silver says at a press conference that the Moreland Commission was "engaged in a fishing expedition to intimidate legislators" and had exceeded its mandate. Fitzpatrick calls it the dumbest thing he's ever heard.
- March 29, 2014: Cuomo announces, as a part of budget negotiations, that he will dismantle the Moreland Commission. Lawmakers agree to pass the Public Trust Act, a new set of laws that would increase penalties for bribery and make small changes to the state's campaign finance laws. The new Act did not change how lawmakers would disclose their private incomes going forward. "Silver and his Assembly staff were key participants in these negotiations and prior discussions of these issues, including advocating against the Moreland Commission's formation and continued existence and arguing against limits to legislators' outside income and related disclosure requirements."
- April 10, 2014: Bharara requests and receives the Moreland Commission's files and documents, including documents related to its investigation of legislators' outside income. "Certain of these documents and leads contained therein are reflected in this complaint."

Continued on page 20

I'D VOTE AGAINST THE WHOLE SYSTEM
BANK
BUT THAT WOULD BE ILLEGAL
I'D VOTE AGAINST BOTH BIG PARTIES
VOTED FOR WAR VS. AFGHANISTAN
SUPPORTED ISRAEL'S WAR VS. GAZA
"Socialist" Independent Senator from Vermont
BUT THIRD PARTIES ARE JUST A JOKE
I'D NOT VOTE
BUT THEY'D THINK I WAS LAZY AND JUST DIDN'T CARE
I'D VOTE FOR THE SLIGHTLY LESS EVIL PARTY
BUT THEY'D MISTAKE THAT FOR SUPPORT
I'D VOTE FOR THE GREATER EVIL PARTY IN THE HOPE THAT THINGS WOULD GET SO MUCH WORSE THAT PEOPLE WOULD FINALLY WAKE UP
DIST. BY UNIVERSAL UCLICK
BUT THEY WON'T LET ME VOTE
CHECK POINT
SHOW VOTER ID
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THE SECRET LISTS THAT SWIPED THE SENATE

By Greg Palast

[Tuesday, November 18, 2014] Statistics guru Nate Silver simply can't understand why every single legitimate poll indicated that Democrats should have gotten 4% more votes in the midterm elections than appeared in the final count.

The answer, Nate, is "Crosscheck."

No question, Republicans trounced Democrats in the Midterm elections. But, if not for the boost of this voter roll purge system used in 23 Republican controlled states, the GOP could not have taken the US Senate.

It took the Palast investigations team six months to get our hands on the raw files, fighting against every official trick to keep them hidden.

Here's what we found.

Interstate Crosscheck is a computer system that officials claim can identify anyone who commits the crime of voting twice in the same election in two different states. While the current list of seven million "suspects" did not yield a single conviction for double voting, Crosscheck did provide the grounds for removing the registrations of tens of thousands of voters in battleground states.

The purge proved decisive in North Carolina, Colorado, Kansas and elsewhere. Without Crosscheck, the GOP could not have taken control of the US Senate. [Read my original investigative report at: http://ptojects.aljazeera.com/2014/double-voters/]

Nate Silver might want to punch these numbers into his laptop:

In North Carolina, Republican Thom Tillis upset incumbent Senator Kay Hagan by just 48,511 votes. North Carolina's Crosscheck purge list targeted a stunning 589,393 voters.

In Colorado, Cory Gardner, the Republican, defeated Mark Udall by just 49,729 votes. Colorado's Crosscheck "potential double voter" list totals 300,842.

The Crosscheck purge list also swamped GOP Senate margins in Alaska and Georgia and likely provided the victory margins for GOP gubernatorial victories in Kansas and Massachusetts.

No, states do not purge every name on the lists. Typical is Virginia, which proudly purged 64,581 "duplicates" from its voter rolls in 2013, equal to about 19% of its Crosscheck list. Other states refuse to provide numbers, but their scrub methods are the same, or even more aggressive, than Virginia's.

We can conservatively calculate that the purge of 19% of the Crosscheck lists accounted for at least three GOP Senate victories — and thereby, control of the Senate.

If the Crosscheck lists truly identified fraudulent double voters, then we'd have to concede that the election results are legit. But the ugly truth is, the lists are nothing more than racially loaded lists of common names.

And that's why GOP Secretaries of State, a gaggle of Katherine Harrises, hid the lists until we cracked through the official wall of denial and concealment. These election chieftains refused our demands for the lists on the grounds that these millions of voters are all suspects in a criminal investigation and so must remain confidential.

Eventually (and legally), we were able to get our hands on 2.1 million of the 6.9 million names — and had them analyzed by the same list experts who advise eBay and American Express.

What we found is simply a giant list of common names — a lot of voters named Michael Jackson, David Lee and Juan Rodriguez. The racial smell of it was apparent and awful. As the US Census tells us, African Americans, Asian Americans and Hispanics are 67% more likely to share a common name as a white American.

In other words, the lists heavily targeted "blue" Americans, Democratic leaning voters.

While state officials claimed that the criminal double voters were matched by social security number and other key identifiers, we discovered that, in fact, they only matched first and last name. Nearly two million of the pairs of names lacked middle name matches. Example: James Elmer Barnes Jr. who voted in Georgia is supposed to be the same person as James Cross Barnes III of Virginia.

Republican officials have gone to great lengths to cover Crosscheck's operations. Voters purged are not told they are accused of voting twice. The procedure, created by Kansas' Republican Secretary of State Kris Kobach, is to send a postcard to each "duplicate" voter requiring them to re verify their registration. A large percentage are never delivered — Americans, especially renters and lower income Americans, move often — or cards are tossed away, confused for junk mail.

Brad Friedman, the investigative reporter with encyclopedic knowledge of elections shenanigans, was also bemused by Nate Silver's confusion over the missing Democratic four percent. He cites the Crosscheck purges we discovered and adds in all the other tried and true methods of bending the vote, from Photo ID restrictions to missing voter registrations and a deliberate shortage of paper ballots in minority precincts. In Georgia alone, 56,000 registration forms collected by a coalition of minority voting rights groups were simply not added to the voter rolls.

THE TOOL TO TAKE 2016

The purge of those snared in the Crosscheck dragnet has only just begun. The process of actually removing names from the voter rolls is subtle and slow, involving several steps over many months. Some states mark their voters on the Crosscheck list as "inactive" — which means that, if they failed to vote in this midterm election, they will be blocked from voting in 2016. As a result, Crosscheck will take an even bigger bite out of the 2016 voter rolls.

This bodes ill for the upcoming Presidential contest when, once again, Ohio is expected to be decisive. Ohio's Republican secretary of state, John Husted, has embraced Crosscheck.

We enlisted Columbus State University professor Robert Fitrakis, an expert in voting law to canvas county voting officials. He found these local elections officials concerned that the Republican Secretary of State is pushing counties to scrub voter rolls of "duplicates" within 30 days of receiving the names from the Secretary's office. This gives counties little time and no resources to verify if an accused voter has, in fact, voted in a second state.

Secretary of State Husted has refused to give us the list of the 469,201 names on Ohio's Crosscheck list — but we've obtained thousands anyway. We found that Ohio's lists have the same glaring mismatches as we saw in the Virginia, North Carolina and Georgia lists.

We have now launched an investigation to uncover the names of all the voters Ohio plans to scrub from the registration rolls by 2016. The answer may well determine who will choose our next president: the voters or Crosscheck.

[For 15 years, Greg Palast has been uncovering voter suppression tactics in investigative reports for BBC Television, The Guardian, Harper's and Rolling Stone. Palast is a Puffin Foundation Fellow for Investigative Reporting. You can read Greg Palast's reports at: http://gregpalast.com]

DEMONSTRATIONS VS. KILLER COPS

Continued from page 1

Eric Garner on Ground with Hands Outstretched as Panataleo Maintains Death Grip on his Neck

waistband of a teen-aged companion in broad daylight, outside of a "drug-prone" location being watched by Staten Island cops.

In an interview after the Garner killing, Orta said that Garner had been breaking up a fight the day he was killed, and as the two men fighting walked across the street, the NYPD arrived and approached Garner, whom they accused of selling untaxed cigarettes. Orta said that after Pantaleo took Garner down with the choke-hold, he watched Garner's eyes roll back in his head and his mouth foam and Orta "knew he was gone".

On February 26, Taisha Allen, a second eyewitness who posted a cell phone video on her FaceBook page of Eric Garner's killing by cops, was arrested on misdemeanor charges of obstructing governmental administration and resisting arrest when she confronted cops who had stopped her male relative for walking in a park after dusk. Allen subsequently pleaded guilty to the obstruction charge and was sentenced to three days of community service.

DEMONSTRATIONS REACH CRITICAL MASS

In the months following the Garner killing, demonstrations were held in NYC, Oakland, Boston, Chicago, Denver, San Francisco, Los Angeles, Dallas, and Minneapolis. Ongoing daily demos continued in Ferguson, the site of massive daily demonstrations in the wake of Michael Brown's killing.

Daniel Pantaleo Jacked Up After Killing Eric Garner

Demonstrators carried signs with the names of unarmed Black men shot by police, including Garner, Brown and John Crawford, shot on August 5 in an Ohio WalMart while talking on his cell phone as he held a pellet gun that was on sale in the store, Akai Gurley, shot on November 20 in the stairwell of the Brooklyn housing project where he lived, and 12-year-old Tamir Rice, shot by Ohio police on November 22 while carrying a toy gun.

Guided by the young Black leadership of the #BLACKLIVESMATTER movement, demonstrations were largely-attended and well-organized. So widespread was support for demonstrating against police violence that New York City Council members walked off their jobs and held a die-in, stopping traffic on lower Broadway. Members of the Congressional Black Caucus and congressional staffers walked out en masse onto the steps of the nation's capital. Students participated in huge die ins and athletes protested at games, wearing "I Can't Breathe" t shirts.

With xmas approaching, demos increased in frequency and intensity, including marching into department stores, disrupting the tree lighting ceremony at Rockefeller Center, reading names of Blacks killed by police aloud in Grand Central Station, occupying the FDR Drive

Cops Climb All Over Garner as his Head is Pressed onto Pavement

and West Side Highway, and almost daily shutdowns of the Holland and Lincoln tunnels. There were also huge demonstrations throughout Brooklyn, the Bronx, and Staten Island.

On December 13, more than 50,000 people assembled in Herald Square and marched to Foley Square, where they held an enormous rally. They crossed the Brooklyn Bridge, marching to East New York, to the Louis H. Pink housing project, where Akai Gurley was killed. Other demonstrators shut down the Manhattan Bridge.

On the evening of December 19, more than 2,000 demonstrators gathered in Foley Square and then marched to City Hall Park, where they confronted a pro NYPD rally. The ongoing demonstrations had reached a peak, attaining a critical mass that the NYPD and Mayor DeBlasio were unable to stop.

The next day however, public opinion was turned against demonstrators by the media, when, according to the NYPD, at approximately 2:47pm, in broad daylight, Ismaaiyl Brinsley shot and killed two police officers, Rafael Ramos and Wenjian Liu, as they sat in their patrol car outside the Tompkins Houses housing project in Brooklyn, during what was reported as an "anti-terrorism" drill.

Two days later, on December 22, Mayor DeBlasio, using the police shootings as an excuse, asked that anti police violence protesters "suspend demonstrations." Earlier that day, NYPD Commissioner William Bratton claimed that the police killings were a "direct spinoff of" the protests. In order to back up this contention, police said that Brinsley had attended a demonstration in Union Square three weeks earlier, on December 1, and that he had recorded a portion of the demo on his cell phone camera.

ANOMALIES AND CONTRADICTIONS IN THE POLICE SHOOTINGS

According to police and mainstream media reports, Brooklyn-born Ismaaiyl Brinsley shot his girlfriend Shaneka Thompson in Baltimore, Maryland, at approximately 5:40 on the morning of December 20 and then immediately traveled to New York City, where he shot two cops in Brooklyn. However, there are anomalies and contradictions in the official story and media reports about Brinsley and his activities that day.

As reported by the NY Daily News on December 21, the NYPD said that Brinsley drove from Baltimore to Brooklyn, where he ambushed Officers Ramos and Liu. The Daily News, citing NYPD sources, said that Brinsley's car, with Maryland plates, was found in Brooklyn, at the corner of Myrtle and Nostrand Avenues. Yet, the NY Times reported that Brinsley boarded a Bolt Bus in Baltimore to Manhattan, arriving at approximately 10:30am, where he was seen shortly thereafter on a surveillance camera catching a subway train to Brooklyn.

Brinsley was tracked using Thompson's cell phone as he traveled north on Route 95 toward New York City, but Maryland police did nothing to intercept him, whether he was driving a car or riding in a bus. There are several police barracks stationed along 95 North on the way to New York, in Maryland, Delaware and New Jersey, as well as toll-booths with cameras where Brinsley, in a car or bus, could have been intercepted by state troopers, but he was not.

According to media reports, on his way to New York City and once in Brooklyn, Brinsley posted threats of violence against New York police on Instagram, including a photo of a Taurus 9mm handgun allegedly used in the shootings, saying': "I'm Putting Wings on Pigs Today", "They take 1 of Ours…Let's Take 2 of Theirs", "#ShootThePolice", but, reportedly, the NYPD was not informed of this until after 2:00pm. According to the NYPD, this gave them no time to try to stop Brinsley before the shootings took place.

As Brinsley had a record of prior arrests in Brooklyn and therefore had his photo and personal information on file with the NYPD, the NYPD, solely on the basis of reports from Baltimore police regarding Brinsley shooting Thompson and then fleeing with a gun to New York City, could have issued an all-points bulletin, complete with Brinsley's photo and description, that would have been viewable on computer screens to cops in all five boroughs, but the NYPD did not.

While the failures of Baltimore and New York police, as well as state troopers, to catch an armed suspect, though his route, whether by car or bus, was being

Cops Look Over Lifeless Body of Eric Garner

tracked by police for approximately four hours, can be attributed to gross incompetence and a colossal communication snafu, it is clear that the NYPD is using the shootings of Officers Ramos and Liu to its advantage in order to gain public acceptance for an expansion of the police state in New York City, by equating demonstrations against police violence with "terrorism".

NYPD ANNOUNCES NEW "ANTI-TERROR" UNIT TO HANDLE DEMONSTRATORS

By Chris Flash

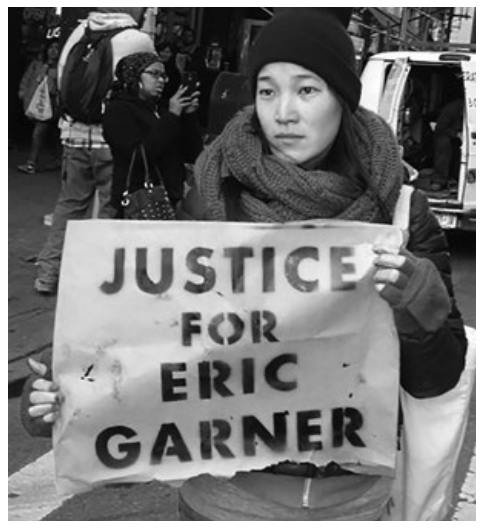
All Photos by Chris Flash

On January 29, 2015, Police Chief William Bratton announced the creation of the "Strategic Response Group" [SRG], that he said would be dedicated to "disorder control and counter-terrorism protection capabilities". The group, to be composed of 350 cops, "is designed for dealing with events like our recent protests, or incidents like Mumbai or what just happened in Paris," Bratton said, adding, "They'll be equipped and trained in ways that our normal patrol officers are not. They'll be equipped with all the extra heavy protective gear, with the long rifles and machine guns–unfortunately sometimes necessary in these instances. The officers will have the dedicated mission of protecting locations, being able to assist us in dealing with demonstrations." Bratton said that Mayor DeBlasio was on board, and he expected the City Council to be as well.

Outrage and condemnation over Bratton's plan to use machine gun-toting cops to respond to protests and demonstrations, equating them with "terrorists", came quickly.

Priscilla Gonzalez, Organizing Director of Communities United for Police Reform said that Bratton's plan "for less oversight of the NYPD and a more militarized police force that would use counter-terrorism tactics against protesters are deeply misguided and frankly offensive. We need an NYPD that is more accountable to New Yorkers and that stops criminalizing our communities, especially when people are taking to the streets to voice legitimate concerns about discriminatory and abusive policing. Despite growing evidence that discriminatory broken windows is a failed and harmful policing strategy, Commissioner Bratton stubbornly continues to defend and expand it."

After the backlash, NYPD Chief of Department James O'Neill revised Bratton's announcement the following day, saying of the SRG: "They will not be involved in handling protests and demonstrations. They'll



have no role in protests. Their response is single-fold. They'll be doing counter-terror work. They'll be assigned to different posts throughout the city."

Bratton says the SRG will start in two precincts in Manhattan and two in Queens, though it is unclear which precincts and when. The SRG will also supplement the 1,000-member NYPD counter-terrorism program, which has also been trained in heavy-weapons tactics, a police official said.

As per the blog techdirt.com: "Using the word 'terrorism' in a sentence is an easy way to route funds to your law enforcement agency. The NYPD has been overselling and under-delivering on the 'imminent terrorist threat' front for years." With Bratton's assertion "that the same special unit should be tasked with counter-terrorism and handling protests, as if the two were remotely related in any way, the message is clear: civil disobedience is an attack on New York City itself—and Bratton's boys and girls trained in the art of counter-terrorism will be on hand to break up the next one. To dissent is to strike terror into the NYPD—itself a pleasant thought, but once the SRG hits the streets, it probably won't end well for those would-be terrorists and their evil protests."

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BLUE LIVES VS BLACK LIVES AT PRO-NYPD DEMO

Eyewitness Report by Rheannone Ball

All Photos by Rheannone Ball

Eighteen hours before Ismaaiyl Brinsley would lethally shoot officers Wenjian Liu and Rafael Ramos on December 20, 2014, a Pro-NYPD rally calling itself #BLUELIVESMATTER was held on the sidewalk outside City Hall Park the night before. The name was a mocking reference to the #BLACKLIVESMATTER movement, which emerged after the murder of Eric Garner on July 17 and continued, fueled by continuous police killings of black people, into the cold nights of December.

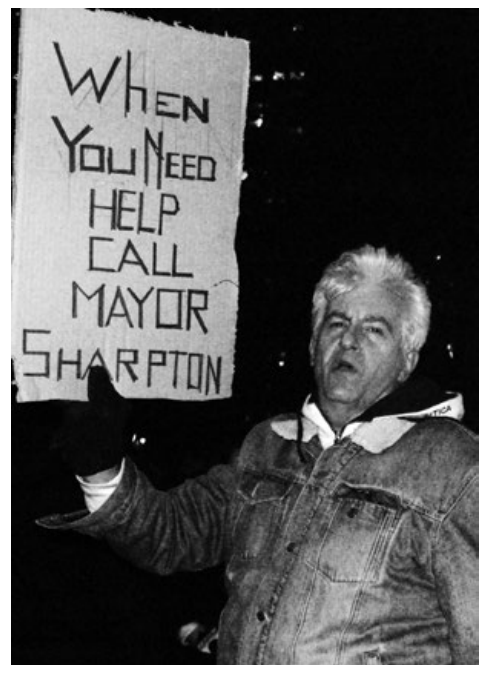
When I was invited to the Pro-NYPD rally via Facebook, I was both disgusted and fascinated. As a photographer and having been previously brutalized on the front lines of protest at Occupy Wall Street, I wanted to attend passively to take artistic portraits of the people who were showing up to defend the honor of the largest criminal organization in the country. I could have never predicted the events that would unfold over the following 24 hours.

That evening, I joined a vigil for Akai Gurley outside the Federal Bureau of Prisons. Gurley was another innocent black man who was shot and killed in his own apartment building by rookie officer Peter Liang of the NYPD. At the time of the #BLUELIVESMATTER rally, Akai Gurley had not even been buried a month.

At 6:00pm, when the rally was set to start, I walked to City Hall Park not to find a demo, but two police barricade pens facing each other. Each "side" filed into either the "Pro" or "Anti" cop pen. Because the pens made it hard to take portraits and because being herded into some "free speech zone" is fucking bullshit, I decided to exit the "Anti" cop pen and walk over to the "Pro" cop side, where I was met with EXTREME aggression and anger. Most of my time on the "Pro" cop side, I was surrounded by two Community Affairs officers in blue jackets who protected me from the insane "Pro" cop demonstrators. I didn't ask for their accompaniment and they tried several times to convince me and force me to leave the "Pro" cop side.

Again, the "Pro" cop demonstrators were EXTREMELY aggressive. I had smartly decided to leave my best camera at home and took a little d40 because many of them grabbed my camera, pushed me and shoved their hands in my face. After about 30 minutes of pure torment and harassment, I decided to leave the "Pro" cop side out of fear that someone was going to shank me in the commotion. "Anti" cop demonstrators kept alerting me to people sneaking up behind me and, after a few moments of true fear, I realized these portraits weren't worth my life.

The demo continued–"Anti" and "Pro" cop demonstrators screaming obscenely across the barricades at each other. At one point, a "Human Mic" from Ferguson was



brought to the protest, but NYPD officers quickly shut down the un-permitted amplified sound. After the first two hours of the demo, as we left and walked to the train, a march of about 500 that had taken the streets from the Foley Square vigil came to replace us.

Apparently, the deaths of innocent black people are not nearly as newsworthy or interesting as a bunch of white men in matching t-shirts. The next morning, every news organization and social media feed in the world was gawking at the disgusting display of unabashed racism that had occurred the night before.

Later that afternoon, seemingly-impossible circumstances would lead to the shooting-deaths of two NYPD officers in an apparent "revenge killing". There are many differing accounts and holes in the story as to how Ismaaiyl Brinsley actually came from Baltimore and killed them, but after attending the rally the night before, I had no doubt that blood was on the hands of #BLUELIVESMATTER.

[SHADOW correspondent Rheannone Ball is a 23 year old aspiring college student from Brooklyn, NY. She currently works as a professional photographer and freelance Robert Moses-Denouncer]

DEMONSTRATIONS ROCK MANHATTAN AFTER ERIC GARNER OUTRAGE

They Say You Can Indict a Ham Sandwich, But What Happens when the Ham Sandwich and the Prosecutor are Cut from the Same Piece of Pork?

Eyewitness Report by A. Kronstadt

All Photos by Anika Edrei

This is an account of two defiant though entirely nonviolent demonstrations that took place to protest the outrageous decision of a Staten Island grand jury not to indict police officer Daniel Pantaleo for the chokehold murder of family man Eric Garner. Led by a prosecutor refusing to do his job, the grand jury disregarded video footage clearly depicting Pantaleo strangling Garner to death in the name of enforcing a petty law against selling loose cigarettes.

WEDNESDAY, DECEMBER 3, 2014

The first demo took shape at the north end of Union Square Park, with the fancy restaurant inside the park shut down at dinner time. Four NYPD helicopters circled overhead, though only a few dozen demonstrators were present. Cops were expecting something that was not going to happen—violence. In the days before the announcement on December 3 that the grand jury would not indict Pantaleo, the NYPD built up its forces in and around Union Square, positioning mobile command centers and scores of police vans, paddy wagons and other vehicles full of riot cops in preparation for expected demonstrations to come.

The show of force was somewhat different from what we experienced during the Giuliani and Bloomberg years. It was more mechanical and less hands-on. The police were going to be mostly spread out, maintaining a perimeter, not going into the crowd to bother people about wearing masks, or pointing individuals out for arrest. It was more like a demonstration under mayors Koch and Dinkins. But there were a hell of a lot of cops with their infernal machines and idling and pollution, including the helicopters circling, each of them belching the fumes of ten idling cop vans. All paid for by taxpayers.

Demonstrators continued to arrive at the speak-out going on at the center of the crowd, which swelled to several hundred before additional people who had been waiting in the park joined in as the march began at around 6:00pm. Word went through the crowd that the destination was Rockefeller Plaza, the site of the annual xmas tree lighting. People chanted "Hands Up, Don't Shoot", a slogan that had spread from Ferguson, Missouri, after the police killing of Michael Brown. Another phrase repeatedly chanted during the march was "I Can't Breathe," the last words of Eric Garner as he lay dying.

Although at first, commanding cops were emboldened to force people onto the sidewalk and called in a dozen scooter cops to maintain a tight hold on the curb, the scooters became snarled in traffic and people took the street and marched in several columns among buses and taxis. There were at this point over five hundred people in the street as police fell behind, then caught up with the protesters, who began to mingle with the xmas tree crowd. Several hundred demonstrators brazenly marched deep into the area where the lighting was taking place, but were thwarted by metal barricades used to box off the xmas tree. Protesters then mingled with the crowd and made some bad publicity as some of the demonstrators called the xmas tree people good nazis and dissed the tree itself. This made for some bad publicity in the next day's New York Post.

THURSDAY, DECEMBER 4, 2014

The Wednesday demonstration had come right on the heels of the grand jury announcement–people were angry but not yet truly organized.

By Thursday, the shock was still there, but some organizing had taken place by some of the same people who brought us the large and successful Occupy Wall Street rallies of 2011 and 2012. The march included periodic "mike checks," a form of impromptu meeting in the middle of a demonstration, popularized during the heyday of Occupy Wall Street, in which all those in earshot repeat the words of a speaker to amplify and spread his or her words without the use of a microphone.

The march, once again starting out from Union Square's north plaza, a traditional rallying place for angry and particularly radical New Yorkers since the 19th century, was a feeder march that would lead to Foley Square.

The number of demonstrators snowballed quickly. There was a speak-out in which people from Eric Garner's Staten Island community addressed the crowd and described Mr. Garner as a gentle man who had no enemies. By the time they were ready to march, this group of people was already well over a thousand, and although there were a lot of cops, the numbers factor had already created a permit for us to go pretty much wherever we wanted to go.

Again, the demonstration started out on the sidewalk, but very quickly got ahead of motorcycle cops and spilled into the street, Cops were not able to recover the upper hand. At no point did anything violent take place, and, like the previous day, police were not very hands-on. To save face, this was something that Bratton and DeBlasio had described as giving demonstrators "breathing room."

Demonstrators Stand Their Ground

Die-In on Street

The slogans of this march were militant and taunting of the police, including: "Hands Up Don't Shoot," "How Do You Spell Racism? NYPD," "Black Lives Matter," "All Lives Matter," and of course, the classic "Fuck The Police."

The number of police helicopters had increased to six by the time we reached the area around the Tombs prison. We could sense the presence of other people protesting nearby to the south, and we had complete control of the streets. We converged on Thomas Paine Park and the Foley Square area, where there was an enormous crowd of thousands of people. This was the big tent of the anti-police brutality movement, including church groups and traditional civil rights activists, along with many, many students. Police had faded to the periphery and a "temporary autonomous zone" had formed, where the people were more or less in control.

Now we were ready for a real demonstration, and this huge mass of people, without authorization from the state, began leaving Foley Square and moving north. At first, the long column of demonstrators filed past City Hall. Then, we began mingling with tour buses on Broadway in the opposite direction of traffic, bringing things to a standstill. Not forever, but long enough. Many drivers being subjected to this slight inconvenience nevertheless honked their horns to support us and raised their hands in the "Don't Shoot" sign, even reaching out and high-fiving demonstrators. Police had completely disappeared for the time being. Someone in the crowd lit a large joint and passed it around. There was no hint of violence or vandalism—nobody even banged on the side of a bus.

Inconvenienced motorists would soon drive on as we turned west on Canal Street, and instinctively began to tighten up, because we were approaching the West Side Highway and everyone knew what that meant. Unlike the previous night, when there had been a substantial number of arrests for blocking traffic by Eric Garner protesters on the highway, as well as the reported use by the NYPD of LRAD sound cannons to disperse people, it was not difficult for this crowd of 10,000+ to spill out onto the highway. After a couple of minutes, cops blocked traffic for us, and we simply took over the roadbed and marched a good mile from Canal Street to 11th Street, where we were met by a cordon of police. These cops were not in riot gear, but if there was anything approaching the dimensions of a riot, this crowd could have easily pushed right through the rather thin blue line. However, this was a peaceful demonstration.

Many protesters drifted off and regrouped into several smaller demonstrations that continued throughout the West Village far into the night and into the early morning hours, as the vibrations from the low-flying helicopters kept everyone in those neighborhoods awake.

Taking over the West Side Highway

Practically every night over the following weeks, demonstrations and marches continued throughout the city, as cops wisely did not attempt to interfere. Through those demonstrations, the people amply demonstrated that THEY have the power and can express themselves powerfully in very large numbers in a non-violent manner. If the NYPD had confronted the non-violent demonstrators against police violence with more police violence, the outcome would certainly have been very different.

Instead of trying to have cops beat us up or shoot us, authority figures in this city should be thankful that citizens in such large numbers can act with this degree of nonviolence and maturity in the face of murder, with impunity, by police. Accordingly, it follows that it would be advantageous to those in power to provide a police force composed of genuine public servants that do not fancy themselves as our masters.

NYPD ZAPS DEMONSTRATORS WITH "LRAD" SOUND CANONS!!

By Chris Flash

During a December 4 demonstration in response to the December 3 refusal of a Staten Island grand jury to indict police officer Daniel Pantaleo for choking Eric Garner to death, SHADOW correspondent Anika reported the use by the NYPD of a device known as an LRAD [Long-Range Accoustical Device] against demonstrators. More than a week later, Anika reported that she had ongoing headaches and ringing in her ears, despite the short exposure she experienced that night. According to a SHADOW source, the LRAD was deployed by the NYPD's Disorder Control Unit [DCU].

The LRAD 500X RE, the model that appears to have been present at the Eric Garner demonstration in New York, as well as the Ferguson, Missouri demonstrations resulting from the shooting of a Black man by a White cop, "achieves maximum sound projection and penetration beyond 2,000 meters" and can reach 149 decibels. The 500X RE gives law enforcement "the ability to issue clear, authoritative verbal commands, followed with powerful deterrent tones." LRADs can blast above a person's 120 decibel discomfort mark and a person's 130 decibel threshold for potential hearing loss. The 500x is also capable of short bursts of directed sound that cause severe headaches in anyone within a 300 meter range. Anyone within 15 meters of the device's audio path can experience permanent hearing loss.

On December 13, attorneys with the NYC Chapter of the National Lawyers Guild [NLG] delivered a letter to NYPD Commissioner William Bratton, demanding that the NYPD "refrain from using the LRAD for crowd control purposes without first conducting thorough, independent testing, and developing appropriate written and public guidelines for training, use, reporting, and oversight requirements regarding the LRAD."

According to the DCU, the LRAD can be used for communication or as an "area denial" tool, emitting a piercing sound ranging from a maximum of between 136 to 162 decibels, depending on the model. Under National Institute for Occupational Safety and Health guidelines, exposures to sounds at levels greater than 85 decibels may cause hearing loss. DCU documents reveal that in the "dangerous range (above 120 decibels), the device can cause damage to someone's hearing and may be painful."

The NLG reports that the NYPD has had LRADs since 2004. A 2011 Freedom of Information Law request has shown that as of September 2012, the NYPD had not implemented any training standards or guidelines for use of the LRAD. NLG attorneys Gideon Oliver, Elena L. Cohen, and Mark C. Taylor contend that the NYPD has utilized the LRAD unconstitutionally and dangerously.

DON'T LET SOUND CANNONS RUIN YOUR DEMO!

By Ronald Kuby, Attorney-At-Large

In the aftermath of the attack of the USS Cole on October 12, 2000, the LRAD [Long-Range Accoustical Device] was developed at the request of the U.S. military as a communications and hailing device. It was deployed extensively in Iraq to hail oncoming vehicles outside small arms range, in order to determine hostile intent. Contrary to popular reports, it has not been used as a weapon by the military, nor has the military approved it for that purpose.

But welcome to New York, where the cops do all kinds of shit to unarmed demonstrators. There is no New York or federal law that prohibits the use of the LRAD as a sound cannon that causes substantial pain and, at least in theory, can rupture eardrums. Amnesty International has condemned its use overseas as a police weapon, but they never want the cops to have fun.

Someone injured by an LRAD could file suit in either State or Federal Court, but one would have to prove that the force used was excessive and that no police officer could reasonably believe it was necessary. So a lot of eardrums will have to bleed first.

Rather than a legal remedy afterwards, the LRAD can be completely and non violently neutralized by a low tech device known as "ear plugs." The better the ear plugs, the more complete the neutralization. I personally would suggest "shooting grade" noise canceled, but the better over the counter brands should work. Buy them in bulk and hand them out! Should be standard issue with your Guy Fawkes mask, Vaseline, and milk of magnesia solution.

Artwork by Jenny Gonzalez-Blitz

NEW YORK'S SECRET POLICE

By A. Bertoli and A. Kronstadt

John Miller is the Deputy Commissioner of Intelligence & Counter-Terrorism at the NYPD, inheriting the post from CIA man David Cohen **[See SHADOW #49: "THE CIA COMES HOME TO ROOST: CAROLYN MALONEY BILL GIVES CIA DOMESTIC POWER" By Frank Morales, May 2004 + SHADOW #55: "UNDERCOVER POLICE AGITATOR EXPOSED By Timmy Sullivan, Winter 2013]**. Prior to that, Miller was an Assistant Director of Public Affairs for the FBI and national FBI spokesman. As a former ABC News reporter and anchorman, he is perhaps best known for his May 1998 interview with Osama bin Laden in Afghanistan (quite a scoop!)

Miller currently oversees the NYPD-CIA's so-called "Terrorism Enterprise Operation," spying and entrapment of Middle Eastern individuals and communities throughout NYC and beyond, on behalf of the "War on Terror." In addition to that work, TEO also operates against local dissent and protest, now classified as "terrorism", by way of its so-called "Technical Operations Unit."

Back in January 2009, the TOU issued a "surveillance request" on behalf of the SSU ["Security Service Unit"] and Detective Randall Amey, seeking information on activists and members of the direct-action environmental group Time's Up including squatter activists Thadeus Umpster and Bill DiPaola, based on New York City's Lower East Side.

In March 2008, the Intelligence Collection and Analysis Coordinators Donald Powers and Mitchell Silber, requested their Commanding Officer to grant permission to spy on Thadaeus and others "associated with Brad Will," an anarchist journalist who was murdered in Oaxaca, Mexico, in 2006, on various occasions, including during squatter demos.

The modus operandi of the Technical Operations Unit is to obtain authorization for surveillance based on far-fetched associations with isolated acts of illegality, supposedly committed by other people with similar ideas.

The spying against Time's Up, which advocates bicycles versus fossil-fuel driven vehicles, was justified in the "surveillance request" by the assertion that some members of Time's Up were friends of Thadaeus Umpster, a figure in the Occupy Wall Street and anarchist movements who, in turn, had attracted the attention of police gumshoes in 2008 for having re-posted on-line a Fox news item reporting a minor explosion at the Army Recruiting Center in Times Square three hours after it took place. To the TOU, this meant that Thadaeus, not Fox news, had somehow known in advance about the "bombing", which was actually a large firecracker that broke some glass in the empty kiosk at around 4:00am. Surveillance videos show a person approaching the recruiting center on a bicycle moments before the blast, which in turn cast suspicion on Time's Up, due to their role as bicycle advocates.

In a similar stretch of logic, surveillance against the Friends of Brad Will was justified in a separate request because, after Brad Will's death, there had been a small explosion at the Mexican Consulate, which the police decided to tie in with a peaceful demonstration that took place at the Consulate around the same time, involving figures in the NYC anarchist movement.

The Technical Operations Unit of the NYPD-CIA is that local police sector which deals with the suppression of dissent and the surveillance, repression and slandering of those who organize in order to confront the enemies within, the police state right here in NYC. [Think COINTELPRO, a 1960s FBI program that inserted agent provocateurs within political movements to divert and neutralize their activities and effectiveness] .

Accordingly, a recent "Police Commissioner's Briefing" states confidently that "the Central Analysis Research Unit prepares a daily briefing for the Executive Staff" on the topic of "Protest Activities."

Since Sept. 11, 2001, the NYPD has been expanding its intelligence operations in ways that no one had previously imagined for a local police department. The rush to judgment that tarred all Muslims with the brush of terrorism led to shotgun-style surveillance of mosques, Islamic study groups, and even restaurants and barber shops, not only within NYC, but in New Jersey and other states.

Liberals and intellectuals who were bamboozled into believing that it was necessary to "protect our freedom" by keeping tabs on Islamist terrorism are now becoming aware that the term "terrorism' has been redefined such that anyone participating in protest or espousing dissenting opinions can now expect to find oneself in the cross-hairs of the NYPD's Technical Operations Unit.

Pulitzer Prize winning Associated Press reporters Adam Goldman and Matt Apuzzo have stripped away the dense blue curtain that the NYPD has erected around its shady intelligence operations which have yielded NO leads and foiled NO terrorist plots. Their book, ENEMIES WITHIN [highly-recommended by The SHADOW], is a primary source for information on the NYPD Intelligence Division and the Technical Operations Unit, which is one of the many sub-agencies of this overarching secret political police organization.

The cartoon logo of the Technical Operations Unit is a pair of prying eyes, a la Mad Magazine's Spy vs. Spy, peering out of a garbage can equipped with a camera and antenna. A strange emblem for an agency supposedly dedicated to protecting our freedom. Only the officials of the NYPD could be so arrogant and out of touch to design such a thing.

We have all been told about secret police agencies that operate outside of the law and which pry into the most intimate details of the lives of citizens who are not accused of any crime, but who simply espouse political, social, or religious ideas that run counter to the doctrines of some authoritarian governments. Many of these governmental terror groups are known by scary initials or acroynms: GPU, NKVD, KGB, GeStaPo, Stasi....and now the NYPD.

[For a list of related Associated Press investigative reports by Adam Goldman + Matt Apuzzo, visit: http://www.ap.org/Index/AP-In-The-News/NYPD.

For more information on the book ENEMIES WITHIN, by Matt Apuzzo + Adam Goldman, with downloadable NYPD-CIA surveillance documents, visit: http://enemieswithinbook.com/]

OMNIPRESENCE IS THE NEWEST NYPD TACTIC YOU'VE NEVER HEARD OF

By John Surico

Deep into the night, a buzz can be heard in the Brownsville Houses. Outside playgrounds, inside parking lots, and throughout courtyards, massive floodlights marked with NYPD insignias and powered by humming generators stand guard, creating the eerie look of a perpetual crime scene. It's no shocker, really: The Brooklyn project off Rockaway Avenue is located in one of New York City's most crime ridden areas and is known for its high police presence amid a bevy of affordable housing developments.

For resident Adilka Pimentel, what she witnesses on a daily basis is Omnipresence in action. That's the comically Orwellian (and completely fucking terrifying) name for the freshest tactic in the NYPD playbook. To her, the bright beams mean one thing: The cops are here until dawn.

In a city where stop and frisk is no longer politically acceptable, but not necessarily over, this bizarro version of community policing deploys a platoon of patrolmen at corners and in the centers of buildings in more dangerous neighborhoods. It also bathes those neighborhoods in floodlights. Eyes, ears, and lights are now on every corner, in the hopes of stopping crime before it starts.

"It's overwhelming. The lights shine into people's rooms, making it hard for them to sleep," Pimentel, a volunteer with the immigrant justice group Make the Road NY, told me. "It doesn't exactly feel comfortable."

Roberto Hines, a Flatbush resident who comes to Brownsville every night, says he first saw the lights go on three or four months ago, after a nearby shooting drew the cops' attention. "They never turn off," he told me, as we stood in the light's reach. "The buzz from the generators never stops. There are at least five in every development."

Hines says all of this is actually reassuring. "Now you can know when people are coming from far away," he said. "And you can see the cops on the corner until midnight, with their blue lights on, not taking any calls. I never feel unsafe here."

"Omnipresence is the perfect word for it," Terence Francis, another resident of the Houses, said outside an illuminated basketball court. "You hear young kids now say all the time, 'Damn, the cops are everywhere.'"

As a result, he agrees that the area is safer, even if it feels strange at night sometimes with all that brightness. "I just put my curtains up," he said.

Even though some people are evidently fine with this new initiative, the NYPD doesn't want to talk about it. If you search for Omnipresence online, you'll mostly find Old Testament descriptions of God and His ability to be everywhere and nowhere at the same time. So far, the only mention in a major media outlet of this new approach to law enforcement came in an article by Joseph Goldstein of the New York Times, who reported on the after effects of stop and frisk in areas like Brownsville.

"As part of a new strategy called Omnipresence, the officers now stand on street corners like sentries, only rarely confronting young men and patting them down for weapons," Goldstein writes. The article is supplemented by a video that asks, "Omnipresence: New Stop and Frisk?" but doesn't provide an answer.

Brett Stoudt, an assistant professor of psychology at the John Jay College of Criminal Justice, says that this digital footprint, or lack thereof, is confounding."If you'd look at the to do list in my office, you would see number six says, 'Find out more about Omnipresence,'" he told me via email.

In his work, Stoudt analyzes the psychological impact aggressive policing has on low income communities of color in the Bronx and Brooklyn. And, with a decade of stop and frisk procedures in place, he's had no shortage of material. However, the subjects Stoudt has spoken with in these neighborhoods are still not sure what Omnipresence is, or whether it's part of something much bigger.

"It is too new. Certainly there is a sense that something might be different (lots of cops standing around) on the one hand, and then there is the sense that nothing has changed (still lots of stop and frisks and low level misdemeanor arrests, albeit fewer than previously)." Stoudt added. "However, I am still unclear about the impact of Omnipresence, or even what is included and if it is going to stick as a thing."

Until recently, Pimentel didn't know what she sees just outside her home every day even had a name. She just figured it was standard procedure; in Brownsville, this type of behavior by the cops is pretty much expected. "We've acknowledged it, and we recognize that stop and frisk isn't over," she told me. "Omnipresence is just another one of those tactics."

She believes Omnipresence is an outgrowth of broken windows policing, or the idea that if you focus on lower level infractions, serious crime will diminish, which is essentially the basis of NYPD Commissioner William J. Bratton's career. He was supposed to offer a reset after his predecessor, Ray Kelly, was plagued by controversies over the surveillance of Muslim communities, brutality, and, of course, stop and frisk. But Omnipresence just adds surveillance while cutting back on actual interactions, so as to avoid bad PR. In other words, it's stop and frisk 2.0.

After I reached out several times to the NYPD for comment, a spokesperson told me the department was still trying to craft a response to my basic question: "What is Omnipresence?" We'll update this story if they get back to us, but the hesitation further shrouds the tactic in mystery, as if even the police are unsure about what, exactly, this all means.

[John Surico is a Queens based freelance journalist. His reporting can be found in the New York Times, the Wall Street Journal, and the Village Voice, among other outlets. This article originally appeared online at Vice.com]

SURVEILLANCE CAMERAS AROUND TOMPKINS SQUARE PARK

NYPD to Profit from Crime Fighting Business

By Bill Not Bored

I've been making maps of the locations of publicly installed surveillance cameras in New York City for almost 15 years now. My point has been simple and consistent: it isn't just the simple existence of the cameras in public places that is offensive; it is their excessive number and the rapid rates at which those numbers are growing, as well. At what point is "enough" actually enough? When is "enough" too much?

Of course, one of the locations I've mapped is part of the Lower East Side of Manhattan: everything south of 14th Street and north of Houston, and west of the FDR Drive and east of First Avenue. In fact, I've mapped this area four times. Between 2001 and 2011, the number of cameras therein grew more than 500%: from 96 to 569, with the growth in the number of privately owned cameras being the decisive factor (the number of cameras on city-owned property only rose from 29 to 46 during that same time period). That's roughly eight cameras per square block. And, no doubt, even more have been installed since 2011.

People have always asked me if there are cameras in or around Tompkins Square Park (TSP), fully expecting, that, given the park's history, the answer would be "yes"—even "yes, of course." But there haven't been any. Unlike Washington Square Park, TSP is not surrounded by New York University or any other major land-owning and land-developing entity, and so there's been no one or nothing to convince the NYPD to install cameras there. (The first cameras installed in Washington Square Park in 1996 and 1997 were watched by the Narcotics Division of the Sixth Precinct and reportedly subsidized by NYU to the tune of $200,000 a year. The new cameras installed there—literally right on top of the old ones—are part of the "war against terror," not the "war on drugs," and are funded by other sources.)

Well, something has changed—or is about to change—because four brand-new and clearly labeled NYPD surveillance cameras now surround TSP, one on each side. That's roughly the same deployment as in Washington Square Park, only in TSP there are—as of yet—no cameras within the park itself.

As always, it is difficult to come by pertinent information concerning these new cameras. They were installed without any announcement by the local press, the area's political representatives or the NYPD, not to mention without any discussion as to whether these cameras—more cameras, always more cameras—are really needed.

This much can be discerned by a casual visual examination. Like many of the recently installed ones, the new cameras are wireless—part of a network of OCTV or "open circuit TV," not CCTV or "closed circuit TV." The visual information captured by these cameras isn't watched by anyone or anything in the immediate vicinity; there is no watcher's booth in or somewhere near the park. The signals are beamed somewhere else, where they can be viewed in "real time," as the activity (or the lack of it) happens. But unlike the other OCTV systems, which have diamond-shaped plates that take in and then re-broadcast the signals in their network, the new cameras in TSP have no plates and thus probably work in a different way.

Recent news reports make it clear that these cameras were installed in anticipation of a series of events that will begin at the end of 2014 and continue for the next three years: the provision of every NYPD officer with a brand-new Nokia Lumia smart-phone and every NYPD vehicle with a brand-new Panasonic FZ-G1 "Toughpad" (a military-grade tablet). Among a great many other services—including receiving real-time updates from the 911 Call Center, doing rapid searches of constantly updated federal, state and city databases for information about missing persons, suspects on the loose and arrest warrants, and (supposedly) scanning the fingerprints of people already in custody—these devices will allow all mobile NYPD units to access the department's recently set-up Domain Awareness System (DAS).

In the words of The New York Times, the DAS is "a computer surveillance system that joins video feeds from thousands of closed-circuit cameras [sic] to law enforcement databases" (Oct. 24, 2014). When its existence was announced to the public by the Bloomberg Administration, eWeek reported that, by accessing the DAS, "NYPD personnel can actively search for suspects using advanced technologies such as smart cameras and license plate readers," and that the DAS provides "relevant information from existing cameras, 911 calls, [and] previous crime reports" (Aug. 9, 2012).

"Christmas has come early for the NYPD and this city," the New York Daily News quoted Police Commissioner Bratton as saying in a joking tone. "I've been dreaming about this for a long time. […] We're going to have a few of these [new devices] hanging from a Christmas tree at One Police Plaza this year" (Oct. 24, 2014).

To really appreciate the humor of Bratton's joke, you've got to know that (1) it only costs around $6.5 million to buy 40,000 Nokia Lumia smart-phones at $159.99 a piece and around $12 million to buy 6,000 "Toughpads" at $2,000 a piece (for a total of $18.5 million), and (2) the NYPD was recently awarded a total of $160 million in "criminal forfeiture money" by the District Attorney's Office ($70 million) and the City of New York ($90,000) for, one imagines, the good work the cops did in helping the D.A. and the City win a staggering $8.83 billion settlement from BNP Paribas, a French bank successfully

Continued on page 22

JUDGE ORDERS NYPD TO RELEASE RECORDS ON X-RAY VANS

The NYPD has a secretive program that uses unmarked vans with X-ray machines designed to detect bombs. ProPublica tried to find out more about it, but the NYPD refused to answer for three years.

By Michael Grabell [ProPublica.org]

[January 9, 2015] A state judge has ordered the New York City Police Department to release records on a secretive program that uses unmarked vans equipped with X-ray machines to detect bombs.

The ruling follows a nearly three-year legal battle by ProPublica, which had requested police reports, training materials, contracts and any health and safety tests on the vans under the state's Freedom of Information Law.

ProPublica filed the request as part of its investigation into the proliferation of security equipment, including airport body scanners, that expose people to ionizing radiation, which can mutate DNA and increase the risk of cancer.

Richard Daddario, then the NYPD's deputy commissioner of counter-terrorism, told the court in 2013 that releasing the documents would hamper the department's ability to conduct operations and endanger the lives of New Yorkers.

Disclosing them, he said, would "permit those seeking to evade detection to conform their conduct to the times, places and methods that avoid NYPD presence and are thus most likely to yield a successful attack."

But Supreme Court Judge Doris Ling-Cohan called the NYPD's argument "mere speculation" and "patently insufficient" to outweigh the public's right to know. "While this court is cognizant and sensitive to concerns about terrorism, being located less than a mile from the 9/11 site, and having seen firsthand the effects of terrorist destruction, nonetheless, the hallmark of our great nation is that it is a democracy, with a transparent government," she wrote in her decision last month.

Nick Paolucci, a spokesman for the city's law department, said Thursday that the NYPD would appeal "because disclosing this sensitive information would compromise public safety."

The X-ray vans at issue are essentially a version of older airport body scanners mounted on a truck.

Only three years ago, airline passengers routinely went through X-ray machines known as "backscatters" at major airports, such as Los Angeles International, New York's John F. Kennedy and Chicago O'Hare. Citing privacy concerns, the TSA removed body scanners that emit X-rays and replaced them with machines that use technology that is considered less invasive and safer.

But X-ray vans continue to be used by law enforcement agencies. They were developed shortly after the 9/11 terrorist attacks by American Science & Engineering Inc. in Billerica, Mass., and deployed by the U.S. military in Iraq and Afghanistan to sweep areas for roadside and car bombs. Because they typically look like blank, white panel trucks, soldiers in Iraq nicknamed them "white devils."

U.S. Customs and Border Protection recently began using them at border crossings, ports, Border Patrol checkpoints and special events such as the Super Bowl.

Very little has ever been reported about the NYPD's use of X-ray vans. In fact, until ProPublica's lawsuit, the police department had never said anything publicly about them other than to confirm their existence.

The most extensive reference to the vans came in a book written by two ABC News reporters who chronicled a year inside the agency's bomb squad.

Describing the security around the 2004 Republican convention in New York, they wrote that every vehicle entering a street in front of the convention hotel was ordered to drive between two white vans, which X-rayed each vehicle for explosives.

While the NYPD has refused to release information about its use of the vans — even how many it has, how much they cost or how it ensures the safety of the public — other government agencies have not been so secretive.

For example, Customs provided ProPublica with more than 150 pages of records under the federal Freedom of Information Act just three months after a reporter filed an identical request with them in 2012.

Moreover, multiple researchers have published studies revealing security flaws in the X-ray technology, in one case, after buying a backscatter machine on eBay.

"The information contained in the records requested from the NYPD will allow the public to assess

the potential health, cost, and privacy concerns raised by the NYPD's use of this vehicle," ProPublica told the court.

ProPublica is represented in the case by Yale Law School's Media Freedom and Information Access Clinic and David Schulz of Levine, Sullivan, Koch & Schulz.

The Customs documents and technical specifications — which are on the manufacturer's website — show that the van emits less than 10 microrems of radiation per scan. That's about twice as much as the old

airport body scanners. But it's extremely low compared to medical X-rays and well within industry standards for acceptable exposure.

The National Academy of Sciences is expected to release a report this month on radiation exposures from the TSA's old scanners. Although those machines also met industry standards, a number of prominent scientists said TSA had failed to follow the health and safety principle to keep radiation doses "as low as reasonably achievable."

The TSA had the ability to use a different scanner that could also find plastic explosives and weapons, but did not use X-rays.

"It's not that the radiation from these

machines is very high," Peter Rez, an Arizona State University physicist, told ProPublica in 2012. "It's 'Does the benefit outweigh the risk?' "

The long-term health risks of low levels of radiation are unknown. But the National Academy has taken the position that the danger comes from cumulative exposure and that even trivial amounts increase the risk of cancer.

The X-ray vans — which reportedly cost between $729,000 and $825,000 each — are designed to find organic materials such as drugs and explosives. The rays penetrate the metal in a car or concrete in a building and scatter back to a detector, producing an image of what's inside.

The van can scan while driving alongside a row of shipping containers or while parked as cars pass by. Customs agencies

around the world have used them to fight drug and human smuggling.

But most Federal Drug Administration regulations for medical X-rays do not apply to security equipment, leaving the decision of when and how to use the scanners up to law enforcement agencies such as the NYPD.

The NYPD's policies are of particular interest because many agencies have adopted strict policies to address potential harm from backscatter X-ray scans. When Customs began using the vans extensively in 2010, the agency prohibited their use on occupied vehicles and required that people get out of the vehicles before they were X-rayed.

The Z Backscatter Van can scan while driving alongside a line of vehicles or while parked as they pass by. (American Science and Engineering Inc.)

But because the NYPD has refused to release the department's policies and procedures, it's unclear how widely the vans are being used — if at all, whether they're being used to scan people or even if police are deploying them for routine patrols on busy city streets.

For example, the NYPD asserted in court records that it did not have any records detailing its policies for privacy protections, how long images from the X-ray vans could be kept or who in the NYPD could view the images.

That conflicted with a court affidavit from Daddario, the counterterrorism chief, who discussed such documents and why they shouldn't be disclosed.

Judge Ling-Cohan ordered the NYPD to pay ProPublica's attorney fees and explain in writing what effort they made to search for documents responsive to the request.

ProPublica's president Richard Tofel said he was "gratified that the State Supreme Court has so clearly rejected the Police Department's efforts to stonewall this important request for information that could affect public health and that has certainly cost taxpayers a lot of money."

"As the court makes clear, vague and wholly conclusory allusions to possible terrorist threats do not and should not create exceptions to our laws on government transparency," he said. "We are sorry to learn the NYPD had decided to waste more citizen time and taxpayer money by appealing this ruling."

[ProPublica is an independent, non-profit newsroom that produces investigative journalism in the public interest. Their mission is: "To expose abuses of power and betrayals of the public trust by government, business, and other institutions, using the moral force of investigative journalism to spur reform through the sustainedspotlighting of wrongdoing."]

NEW YORK STATE ASSEMBLYMAN SHELDON SILVER WAS RECENTLY ARRESTED ON A STRING OF CORRUPTION CHARGES. WIKIPEDIA DESCRIBES HIM AS "A KEY ADVOCATE FOR RENT REGULATION!" IS THIS ACCURATE ?

SILVER HAS LIVED FOR MANY YEARS IN THE GRAND STREET CO-OPS. BUILT BY THE INTERNATIONAL LADIES GARMENT WORKERS UNION, THESE APARTMENTS WERE ONCE SOLD FOR AS LITTLE AS $500 BUT ARE NOW SOLD AT MARKET RATE. SILVER HAS LONG SOUGHT TO LIMIT THE NUMBER OF POOR PEOPLE, BLACKS AND HISPANICS IN THE GRAND STREET NEIGHBORHOOD.

SEWARD PARK IS A HUGE TRACT OF LAND, SOUTH OF DELANCEY, WHICH BECAME EMPTY IN 1967 WHEN "OLD LAW TENEMENTS" WERE TORN DOWN, DISPLACING MANY IMPOVERISHED RESIDENTS. FOR MANY YEARS SILVER HAS PREVENTED LOW INCOME HOUSING FROM BEING BUILT ON THAT SITE. COMMUNITY ORGANIZATIONS, SQUATTERS AND GARDENERS

WERE FORCED TO FIGHT EACH OTHER OVER SMALL SCRAPS OF LAND WHILE THIS LARGE AREA SAT EMPTY. TODAY THIS AREA IS FINALLY BEING DEVELOPED IN A PLAN THAT INCLUDES 50% AFFORDABLE HOUSING.

SILVER'S REPUTATION AS A MAN OF THE PEOPLE COMES FROM HIS ROLE, AS DEMOCRATIC LEADER, IN THE STATE SENATE, WHERE IT IS HIS JOB TO PROTECT RENT REGULATIONS AGAINST THE REPUBLICANS.

BUT, IN THE '90S, SILVER COMPROMISED WITH JOE BRUNO TO WEAKEN RENT LAWS THAT PROTECT MILLIONS OF TENANTS.

THE INDICTMENT OF SILVER CREATES DISARRAY AMONG DEMOCRATS AT A TIME WHEN REPUBLICANS ARE POISED TO WEAKEN OR DESTROY RENT STABILIZATION.

WE CAN NO LONGER RELY ON LUKEWARM LIBERAL POLITICIANS TO PROTECT US. A NEW MORE RADICAL HOUSING MOVEMENT MUST EMERGE.

Artwork by Seth Tobocman

PLAYING THE DEAD MAN'S HAND:

ARE THE BOSTON MARATHON BOMBINGS TIED TO THE MURDER OF THREE YOUNG MEN AND THE FBI'S ANTI TERRORISM PROGRAM?

By Paul DeRienzo

On Monday, April 15, 2013, Patriots' Day in Massachusetts, the Boston Marathon was the scene of a despicable twin bombing. The bombs went off 12 seconds and 630 feet apart near the finish line, at about ten minutes to three that afternoon, killing three and injuring about 264, including fourteen victims who lost limbs.

Over the following four days, a manhunt for two young brothers suspected in the bombings ended with the death of a police officer and one of the suspects and the capture of the other, who now faces murder and terrorism charges.

Revelations of a subsequent police investigation allegedly linking the older brother to a brutal triple murder of a young marijuana dealer and his two friends in 2011 and the killing by police of the main suspect in the triple murder a month after the bombings have raised questions as to whether the FBI or other agencies might have known more about the alleged bombers and are covering up a relationship with an informant.

THE OFFICIAL STORY

The bombing suspects, 27 year-old Tamarlan Tsarnaev and his 19 year old brother Dzhokhar, known as Jahar to his friends, were named by police three days after the Marathon bombing, when, on April 18, after car-jacking a Mercedes SUV, they were cornered in a ferocious gun battle with police in Watertown, Massachusetts. Tamerlan Tsarnaev was killed, but Dzhokhar managed to escape, allegedly running over his mortally wounded brother in a frenzied escape. Dzhokhar was captured the next day in Watertown while hiding in a boat in a backyard.

AFTERMATH

It was three days before grainy security camera pictures of the suspect brothers were made public. Originally named suspects 1 + 2 (or "black hat" + "white hat"), the FBI said that the suspects had "acted differently" after the explosions, staying to watch the aftermath and walking away "casually", rather than fleeing after the bombings, like most of the terrified people at the scene.

During the first days of the manhunt, about a dozen tweets from Jahar were mostly mundane missives that took on deeper meaning after the shootout in Watertown. "There are people who know the truth but stay silent," was tweeted on his account seven hours after the bombing, adding "There are people who speak the truth but we don't hear them cuz they're the minority," and lyrics from Jay Z: "There ain't no love in the heart of the city, stay safe people." He also re-tweeted the picture of an injured woman from the bombing in the arms of a man with an incorrect caption. Jahan tweets back, "Fake story".

Meanwhile, the FBI distributed images of twisted pieces of metal that they said were from two identical 6 quart steel pressure cookers filled with gunpowder scavenged from fireworks. The FBI claimed that computers seized from Tamerlan's apartment indicated his visits to an extremist website featuring a pressure cooker bomb recipe titled "Make a Bomb in the Kitchen of your Mom." A month later, the story changed after prosecutors filed legal papers admitting that the bombs would have been "difficult for the Tsarnaevs to fabricate successfully without training or access from others."

No suspects were named until a news conference on April 18, when photographs and surveillance videos from the scene of the bombings were released by the FBI. They showed two suspects wearing backpacks.

Events unfolded rapidly after the news conference. The first reports that would be used to link the bombings to the Tsarnaev brothers came that night, when Cambridge police reported that a 7 Eleven store had been robbed. At a press conference, Boston police commissioner Ed Davis released a security video image from the 7 Eleven robbery and incorrectly named a person in a hoodie as a bombing suspect. The police would later claim they had erroneously linked the robbery to the two bombing suspects because it occurred coincidentally with the shooting of MIT police officer Sean A. Collier about a mile away.

Carnage and Mayhem Moments after Boston Marathon Bombing

Collier was reportedly shot "multiple times in the head" a few minutes after the 7 Eleven robbery. Though there is video of two men approaching Officer Collier's car, according to the New York Times, "three law enforcement officials" said there is no clear view of the men's faces. Investigators said they believed the men were the two suspected bombers and that they were attempting to rob the officer's gun. "He had a triple lock holster, and they could not figure it out," a law enforcement official told the Times.

"DANNY'S" STORY

Meanwhile, as police were responding to the shooting of officer Collier, a 911 call reported the car-jacking of a Mercedes SUV "by two men claiming to be the marathon bombers." The SUV's owner, a Chinese national and entrepreneur identified only as "Danny", had reportedly been kidnapped by the two men.

In a Today show interview, "Danny" said that Tamerlan Tsarnaev approached his parked car, and, thinking that the stranger was asking directions, he rolled down his window. "Danny" said that Tsarnaev then reached through the window, opened the door, got in and demanded money, aiming a gun "right at my head" asking if "Danny" had heard about the Boston "explosion," adding, "I did that and I just killed a police officer in Cambridge." "Danny" is the only witness to this alleged confession and he remains the only source behind the official account of who is responsible for the bombing and its aftermath.

According to the official story, "Danny" told police that after being hijacked, he was forced to spend an hour driving around "looking for an ATM machine." At one point, "Danny" said that he was made to pull over as Dzhokhar Tsarnaev got out of a Honda that was following his SUV and transferred bags of material to the trunk of the SUV. "Danny" said the three men then drove in the SUV toward Cambridge. "Danny" said that when Tamerlan Tsarnaev pulled the vehicle into a cash only service station and unlocked the doors to the car, he saw his chance, quickly unfastened his seatbelt and fled across the street to another gas station, begging the surprised proprietor to call 911.

However, independent researchers, including Russ Baker of whowhatwhy.com, say that "Danny's" story has "inconsistencies that call into question whether the authorities now prosecuting Dzhokhar Tsarnaev for murder are leveling with the American people." The inconsistencies are each small, but taken together, they undermine confidence in the story that "Danny" recounted to law enforcement.

The questionable statements begin with the car-jacking itself, which "Danny" said happened at a location in Alston, which is nearly three miles from the Cambridge location indicated in the initial statement by Middlesex County District Attorney Gary Leone. "Danny" said he was held hostage for 90 minutes before making his escape at the gas station, but there are two conflicting versions. The first, from the prosecutor and police in a joint statement, is that "Danny" was "car-jacked at gunpoint by two males and was kept in the car with the suspects for approximately a half hour." The second version, from the Associated Press, citing the Cambridge Police Department, is that "Danny" was held "for a few minutes" and then let go. The Wall Street Journal also reported that the suspects stole the Mercedes SUV, "briefly holding the driver hostage."

"Danny" said that he made his escape when Tamerlan Tsarnaev was momentarily distracted, according to the Boston Globe, NBC and CBS. In the first of two conflicting versions broadcast on ABC affiliate WMUR, "Danny" walked away when the brothers were outside the car, leaving "Danny" alone. In the second version of the getaway, given by the Associated Press and Cambridge Police Department, they left him by the roadside after a few minutes, confiscating his vehicle. In this version, "Danny" had almost no interaction with the brothers, which, according to Baker "raises questions" about their alleged confession to the bombings.

Adding to the confusion are three different accounts of how "Danny" managed to escape the brothers. In the first story, broadcast over WMUR, "Danny" tells the interviewer that while Dzhokhar Tsarnaev was paying for the gas and Tamerlan pumping, he quickly unbuckled his belt and made a run for it. In the second version, with John Miller of CBS News, "Danny" claims Tamerlan was in the car sitting next to him when "Danny" said "I jump out of the, jump, jump out of the, the vehicle, and I close the door, and I can feel, Tamerlan was trying to grab me, he didn't touch me, but I could feel him trying to grab me." In a third conflicting version, reported by the New York Times, from a "unidentified law enforcement" source, the car-jackers "threw him out of his car around 1:00am."

Reading these disparate stories, a picture emerges of an official story built out of cherry-picked facts that bolster the narrative of violent terrorists. If the suspects were vicious enough to kill a cop to supposedly seize his gun, why wouldn't they just shoot "Danny" and eliminate the only witness to what happened?

SHOOTOUT

Police were soon chasing the stolen Mercedes SUV, using its GPS system though the streets of Watertown, Massachusetts. Within minutes, police from numerous agencies were descending on the area, eventually engaging in a wild gun fight with the brothers that injured 16 officers, including one who was critically wounded by "friendly fire".

A study by Harvard University said that the police tactics "put the public at excessive risk during the shoot-out." Between 200 300 rounds were fired and several "crude grenades" were thrown. Police claimed that the suspects had an "arsenal of guns," but later it was reported that the suspects had only one firearm, a Ruger 9mm pistol, with serial numbers defaced. During the shoot-out, Dzhokhar allegedly drove the vehicle toward police, running over his own brother to make an escape.

A Watertown resident and witness quoted in the New York Times said the car "went right through the cops" and continued west. The witness said an explosion during the gunfight was caused by a "large, unwieldy bomb" the "gunmen had." He said it looked "like a pressure cooker."

Left behind was Tamerlan Tsarnaev. He was handcuffed, unconscious, and in cardiac arrest. The Emergency Room team at Beth Israel Deaconess Medical Center was unable to resuscitate him, and pronounced him dead at 1:35 the following morning.

PLAYING THE DEAD MAN'S HAND

Continued from previous page

CAPTURED

Early on April 19, Watertown residents received reverse 911 calls asking them to stay indoors. Authorities ordered citizens of Watertown and adjacent cities and towns to "shelter in place", meaning that they were to collect children and animals and stay indoors, closing windows and locking doors. "Shelter in place" orders have been used in shooting incidents, as well as for toxic spills and refinery fires and weather emergencies.

In a door-ro-door manhunt, thousands of law enforcement officers, including FBI, the Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Homeland Security, National Guard, Boston and Watertown police and Massachusetts State Police, searched a 20 block area of Watertown. This show of force was reportedly the first major field test of the interagency task forces created in the wake of the events of September 11, 2001.

Later that day, believing the suspect had escaped, the order was lifted. Shortly after, a homeowner with a boat named the "Slip Away II" stored in his backyard noticed something askew. Climbing in to investigate, he saw someone hiding inside. Police were called and surrounded the boat. Reports of a shoot-out at the boat were later proven false–after police shot a large number of bullets at the boat, Dzhokhar Tsarnaev, badly wounded and bleeding, was captured, unarmed, without a fight.

FROM RUSSIA WITH LOVE

The FBI was aware of the Tsarnaev brothers, having interviewed Tamerlan in January 2011, after Russian authorities informed the FBI that he was connected to Islamic radicals. The FBI said that Tsarnaev wasn't a potential threat at the time and has claimed the Russians withheld crucial information that would have caused agents to watch Tamarlan more carefully. Tsarnaev returned to Russia in spring 2012 for six months, traveling to the troubled area known as Dagestan, near Chechnya, where the Russian military has launched two major wars in the past 20 years, killing hundreds of thousands of local residents.

Journalist Trevor Aaronson is the author of the book "The Terror Factory," which outlines the FBI's use of informants to manufacture a war on terrorism. The bureau spends $3.3 billion on counter-terrorism each year, the biggest slice of its $8.2 billion annual budget, which is half a billion dollars more than it spends combating organized crime. A central facet of FBI tactics has been sting operations against would be terrorists using informants and internet surveillance. Aronson researched legal filings in numerous terrorism cases and discovered a pattern of often low-functioning, penniless losers and hapless bystanders being snared into terrorism stings by relentless and highly-paid government informants.

Is it possible that Tamerlan Tsarnaev was being used as an informant or provocateur? The question remains open and the government's heavy handed treatment of Jahar's Boston schoolmates and friends in the weeks after the bombings has deepened the mystery.

While no other conspirators were charged or named by prosecutors in the bombing, friends of Jahar, who were not involved in the bombing, were charged with disposing of evidence. A backpack and fireworks with gunpowder were removed from Jahar's dorm and recovered by police.

Since the bombing, friends of the Tsarnaevs have been arrested, harassed and some deported on minor charges, leading to complaints filed against the FBI by the ACLU. One friend of Tamerlan Tsarnaev was killed a month after the bombing while in FBI custody.

TRIPLE MURDER

As police searched for the bombing suspects, a parallel "investigation" began on social media sites that played out with tragic consequences. A troubled American student at Brown University named Sunil Tripathi, who had gone missing a month before the bombings, became one of several people misidentified as a bombing suspect on social media. On April 23, 2013, Tripathi's body was found floating in a river in Rhode Island, an apparent suicide. The online site Redditt eventually apologized for encouraging an "online witch hunt", and "wrongly accusing innocent people."

Even more disturbing than the death of Tripathi was the connection made by police between Tamerlan Tsarnaev and the bloody murders of three men whose throats were slit, while cash and drugs were left on their bodies, in Waltham, Massachusetts, in 2011. The three friends were Erik Weissman, Brendan Mess and Rafi Teken. Weissman and Mess were both established pot dealers. Teken was a friend who was visiting the night they were murdered. A Waltham investigator called the murders "the worst bloodbath I have ever seen in a long law enforcement career." Their throats had been slashed with such force that their heads were nearly decapitated.

Brendan Mess, an experienced mixed martial artist who trained in jujitsu, was the only victim who had fighting wounds. There was $5,000 in cash and more than eight pounds of marijuana in the house, including two pounds scattered over the corpses. Middlesex County District Attorney Gerry Leone told reporters that there was no evidence of a break in and the assailants and victims probably knew each other. "Assailants, plural?" a reporter asked. Leone replied that there were "at least two people who are not in the apartment now, who were there earlier." The investigation went basically nowhere from that point until nearly two years and two bombs later, when the FBI revisited the case.

IBRAGIM TODASHEV

The day after Tamerlan was killed in a shootout with Watertown police, plainclothes FBI agents detained his friend, Ibragim Todashev at gunpoint. Although the FBI seems to have initially been looking for evidence of a wider terrorist cell, within weeks, its agents were questioning Ibragim about the Waltham murders.

A report in Boston magazine written by Susan Zalkind, who had been Erik Weissman's girlfriend, surmises that if cops had cared enough about the death of three stoners in 2011, the Boston Marathon bombing may have been avoided. After the Waltham murders, police seemed only interested in implying that the grieving relatives of the dead were themselves part of some drug ring.

Tamerlan Tsarnaev was a Golden Gloves boxer connected to Waltham victim and friend Brendan Mess through a gym where they sparred. Yet, police never visited the gym or talked to Tamarlan, even though several friends gave the police his name in a list of Brendan's closest contacts. After the April 2013 bombings, the Middlesex DA pulled out files on the old case and soon police were revisiting families with questions about organized crime and guns. In a photo lineup, Brendon Mess' younger brother picked out Ibragim Todashev as a man who looked "vaguely familiar."

Few people knew Todashev. He was a trained Mixed Martial Arts fighter who liked to hang out with a close knit group of Chechen friends and he didn't socialize outside of that circle. He was described as kind-hearted but harbored a serious anger problem, attacking anyone who used the word "motherfucker" within earshot. Todashev grew up in the violent world of Chechnya, where his family was forced to move constantly before arriving in the United States.

In the weeks after the bombing, FBI investigators focused on friends of Dzhokhar Tsaraev, who was popular with his classmates in high school and college at the University of Massachusetts at Dartmouth. Some of his friends refused to accept that he was a bomber and some asserted they would testify on his behalf. The FBI targeted many of those friends and spread fear, seemingly aimed at discouraging support for their friend. Todashev, who received special attention from the FBI, but was never charged with a crime, moved to Orlando, Florida with his wife.

Tamerlan and Dzhokhar Tsarnaev

THIRTEEN BULLET HOLES

On May 21, 2013, a little more than a month after the bombing, an FBI agent, accompanied by two Massachusetts State Police officers, arrived at Todashev's home in Orlando. Other agents were interviewing his wife and mother-in-law at different locations in Georgia. The interview with Todashev began at about 7:30pm as a friend waited outside. Police told him to leave at about 11:30pm, telling the friend that cops would later deliver Todashev to a nearby mall. What happened next inside the condo is known only to the officers who were there. Pictures later released by Todashev's family show that he was shot multiple times in the chest, arm, and once in the head.

Todashev's father wrote an open letter to President Barack Obama, releasing gruesome photographs of his son, showing the bullet wounds. "They did it deliberately so that he can never speak and never take part in court hearings," Abdul Baki Todashev said, adding: "They put pressure on my son's friends to prevent them from coming to the court and speaking the truth."

The identity of the officers who killed Todashev was kept secret until Spring

Continued on page 21

STAGED BOSTON BOMBING DRILLS + EXERCISES BECOME "REAL WORLD" AS FALSE-FLAG OPERATION REVEALED

By Gabby Sloan

On June 6, 2013 "Operation Urban Shield Boston" published videos via its YouTube Channel highlighting the so named 2011 and 2012 law enforcement and emergency response drills that bore a remarkable resemblance to the April 15, 2013 Boston Marathon bombing allegedly carried out by Tamarlan and Dzokhar Tsarnaev.

The "Urban Shield" itinerary closely resembles what actually occurred the day of the bombings, which bears the classic marks of a government initiated false flag attack. Many false flag attacks throughout history have corresponded with planned "drills".

Two days after the videos were distributed, the Boston Globe reported that the entire April 15 Boston Marathon bombing and its aftermath played out almost in identical fashion to the Department of Homeland Security sponsored terrorist drill scheduled for June of 2013.

The anticipated June 2013 exercise scenario was painstakingly planned: A homegrown terrorist group called "Free America Citizens", intending to injure scores of people around Boston, would leave backpacks filled with explosives at Faneuil Hall, the Seaport District, and nearby towns, spreading waves of panic and dread. Detectives then would pursue and catch the culprits.

"Urban Shield" was developed to train dozens of detectives in the Greater Boston area to work together and thwart such a threat. A project of Cytel Group Incorporated, "Urban Shield" designs staged terror drills in major cities throughout the United States. "The real thing happened before we were able to execute," a law enforcement official intimately aware of the planned exercise said. "We've already been tested."

The 24 hour "Urban Shield" training exercise, made possible by a $200,000 Department of Homeland Security grant, was again staged in Boston on May 3, 2014, involving a series of staged crises, from an "active shooting" event in Brookline to the rescue of elected officials held hostage at Boston City Hall. According to CBS Boston, the eleven staged public safety scenarios were based on past real life events and included an "explosive device" found in the transit system, an "injured officer" situation in Cambridge and a "parking lot collapse" in Boston.

In 2013, Transit Police Chief Paul MacMillan, whose agency was slated to participate in Urban Shield, said that he anticipated the new training scenario for 2014 would be similar to the one already planned. "Why wouldn't we do it?" MacMillan said. "Just because we had one event doesn't mean that we might not have another one. And it behooves us to continually work together to investigate these types of incidents."

A police spokeswoman declined to say what a new training event might look like. "We can't talk about what we're doing for emergency preparedness," she said. "The people who participate in this don't know what the scenario is."

[Notes: • Storyleak.com • GlobalResearch.com • Scott Creighton, "Boston Bombing Psyop, Operation Urban Shield, Cytel Group and … Israel," Willylowman.wordpress.com, June 12, 2013 • Maria Cramer, "Police Response Training Planned, But Bombs Hit First," Boston Globe, June 8, 2013 • Naturalnews.com, June 22, 2013]

DOWN BY LAW

IT AIN'T ABOUT TAXES!

RADICAL LAWYER STANLEY COHEN JAILED IN SELECTIVE FEDERAL PROSECUTION

By A. Kronstadt
Photo by A. Kronstadt

Stanley Cohen is well known to anti gentrification, anti police state activists in the Lower East Side as the attorney who came to dozens of night court arraignments in the late 1980s and early 1990s when demonstrations in defense of homeless people and squatters resulted in mass arrests. Stanley handled the cases of the most persistent Tompkins Square Park rebels on the front lines who were targeted by police.

When police began extinguishing fire barrels that homeless people needed to survive during the frigid winter of 1988 1989, it was Stanley who went to court and stopped them. When homeless people set up their Tent City in Tompkins Square Park in the summer of 1989, both for survival and to showcase the homeless situation in Mayor Ed Koch's gentrifying New York City, it was Stanley who paid for the tents. He also defended many of the people who were arrested resisting the numerous attempts by the city to evict Tent City.

Stanley was also the lawyer for squatters who took over dozens of abandoned city-owned buildings on the Lower East Side in the 1980s. He went to court pro bono, sometimes successfully and sometimes not, to stave off attempts by the city to remove them. When he accompanied us in demonstrations where we pushed the envelope, he was amazing for his calm and collected approach to the cops, matter-of-factly laying down our constitutional rights in front of fascist police commanders.

Stanley's penchant for defending politically rebellious people who are demonized in the press and shunned even by other left wing attorneys has not been limited to the Lower East Side scene. At the same time that he was handling our cases on the Lower East Side, he was traveling upstate to the New York-Canadian border to defend the tribal autonomy of Mohawk Indians from encroachment by the U.S. and Canadian governments.

In the twenty first century, Stanley Cohen has incurred the wrath of the post 9/11 security state for defending Islamist bogeymen, including Osama bin Laden's son in law and former Al-Qaeda spokesman Sulaiman Abu Ghaith, as well as Hamas head Mousa Abu Marzook, when Israel sought to extradite him after his arrest in New York. Marzook ultimately went free. Stanley Cohen has a thing about imperialism and land grabs. His solidarity with those being disempowered and marginalized has made him some very powerful enemies.

On November 21, Stanley was sentenced to 18 months in federal prison by Federal District Judge Norman Mordue of the Northern District of New York for the vague offense of "obstructing the Internal Revenue Service." As reported in SHADOW #56, Stanley pleaded guilty to the charge on May 14 in order to end an obsessive campaign in which the government piled on additional charges after Stanley refused to agree to a plea deal, and because Stanley's family in the Mohawk region and his clients in the Middle East were being harassed and their cases jeopardized. "They were after my law license—that was what it was all about," Stanley told the SHADOW. "But I couldn't deal at the same time with being a defendant and handling the complex, often international litigation that I was involved in as a lawyer."

Furthermore, the tax law firm that Stanley had hired to defend him asked to be removed from the case after Stanley ran out of money. His defense had already cost Stanley a six figure sum in legal fees. A Federal judge is not supposed to allow a defense attorney to abandon a case for monetary reasons, but Mordue allowed the lawyers to simply ditch Stanley.

When he entered the guilty plea in May, Stanley addressed Judge Mordue. He denied that he had intended to obstruct the government and said he was pleading out simply in order to end an impossible situation. A judge is supposed to refuse to accept this sort of guilty plea and take the case to trial, because accepting it would amount to convicting an innocent person, but Mordue went ahead and accepted Stanley's plea.

The prosecution did not attempt to charge Stanley with tax evasion because there was no proof of money having been willfully withheld from the government. Instead, the charge of obstructing the IRS was bolstered by a series of "overt acts," none of them illegal in and of themselves, that can only be described as acts of lackadaisical bookkeeping. The "overt acts" included accepting payment in the form of barter, such as allowing poor clients from Stanley's Lower East Side neighborhood to pay him by doing work on his apartment; keeping $50,000 cash in a safe in his home in Sullivan County, New York; using wire transfers to transfer money paid to him by clients at a Mohawk Indian reservation to his American Express account; and filing estimated tax returns and making partial payments on his taxes instead of filing final returns. None of these acts by themselves are crimes per se, but the accusation of "obstructing the IRS" is made up of a pattern indicating the intent to conceal income, whether or not the government can prove that any income has been concealed.

In their exhaustive investigation of Stanley, the government could not prove that any of his income had been transferred to offshore accounts, or anything else suggestive of the laundering of money. All of the information gathered by the IRS to back up charges that Stanley was concealing income came from open, available bank and credit card records.

Stanley does not have any of the trappings of a person who has been siphoning away money owed to the government: no stock portfolio, large scale land holdings, private planes, or anything of that nature. Living in a rented apartment on the Lower East Side, across from low-income housing projects, and driving a seven year old SUV, Stanley is no Bernie Madoff. Stanley told the SHADOW: "I don't give a fuck about money. That's the reason this happened. The whole notion that I would sit down and plan out a system to defraud the IRS is ludicrous. My practice is not motivated by material gain."

Stanley maintains that the unorthodox record keeping practices that the government nailed him on were due to the fact that his clients were people outside the system and his work was not that of an ordinary lawyer within the capitalist system. "Barter is needed when dealing with the poor. People in Akwesasne [the Mohawk Indian reservation where Stanley has defended many clients fighting for Native American rights] paid with cash because there are no banks on an Indian reservation and nobody has a checking account." Stanley further explained that due to a lack of banks in the Mohawk country, he used a money transfer service in Akwesasne to wire money to his AmEx account in order to enable him to accept money paid by clients upstate where he was working to pay his expenses in New York City where he lived and kept his office. All of these were simply practical arrangements that had nothing to do with attempting to defraud the government.

Stanley told the SHADOW: "In every other case where there is some bookkeeping problem, the government sets up a financial settlement with the person, including a plan to pay the back taxes with interest and penalties. This kind of obsessive prosecution only happens to people who challenge the legitimacy of the government. The Feds started coming after me 15 years ago, trying to establish material support for terrorism. Homeland Security and the FBI went around to everyone connected to my Middle East clients, including Palestinian prisoners, trying to establish that I had transmitted messages between themselves and their "terrorist" colleagues. Nothing was found and those agencies dropped it.

Stanley Cohen

"Then the IRS got involved. The IRS could simply not wrap its mind around how much of my work, particularly in the Middle East, was being done pro bono. There were also clients who paid cash that was wired from overseas directly to a bank where it was openly kept in an account. They [the IRS] were obsessed with two wire transfers that I made from Lebanon that were to pay my hotel bill.

"Next, in the tax case, the Feds went judge shopping and made sure that the judge in the case was Norman Mordue [of the Northern District in New York State that has jurisdiction over the Mohawk country where Stanley was active], a man who I had clashed with twenty times over the course of my career, and seriously embarrassed at one point. The way they did this was to send me a subpoena about the tax case. When I was fighting the subpoena, Mordue took on the case. Then, the Feds claimed that it was a "related matter" and arranged for Mordue to preside over the whole tax case without going through the usual process of drawing from a drum make sure judge assignments are random. How does a person who has no tax obligation in the Northern District because I do not reside there end up being charged with evading the IRS in the Northern District of New York?" Both Stanley's Lower East Side apartment and his home upstate are in the Southern District of the Federal Court System in New York State.

Stanley believes that this bizarre course of action on the part of the government was motivated by their desire to take out another of the people's lawyers, like their prosecution of Stanley's former law partner Lynne Stewart, who was sentenced to 10 years imprisonment for "material support for terrorism" based on information obtained from government spying on attorney/client privileged communications **[See SHADOWs #46, #50 + #56 for more on Lynne Stewart—Ed.]**

Stanley compares his case with that of renowned San Francisco defense lawyer Tony Serra, the high profile attorney for Symbionese Liberation Army radicals, Earth First "eco terrorists" and countless pot defendants, who has repeatedly been targeted on tax charges, though Stanley acknowledges that Serra is an active tax protester.

Out of the 18 month sentence imposed on him, Stanley is facing about a year in federal prison, as most prisoners get a certain amount of time off for good behavior. His law license is up in the air, and people should contact his defense committee [http://freestanleycohen.com] to find out how to help him to continue to fight for us as a lawyer.

When asked by the SHADOW what people can do for him on the inside, Stanley answered: "To help me, people can continue to resist and organize and fight the beast. Fight for Palestine, because I won't be able to fight for a year. You can write me letters or even get registered to visit me. I want to keep my Website [http://istanleycohen.org/] active, so you can make some contributions for that."

Due to expenses incurred fighting the charges against him and because his Avenue D loft has become almost unlivable during development of neighboring real estate that has caused structural damage to his living space and loss of ventilation and light, Stanley plans to move out of the Lower East Side and possibly pursue opportunities as a lawyer in another country. Stanley told the SHADOW: "The most difficult part of it is that I will probably never live in the Lower East Side of Manhattan again."

[See SHADOW #56 for an exclusive interview with Stanley. To learn more about Stanley and his legal career, visit http://istanleycohen.org. Future issues of the SHADOW will include updates about Stanley.]

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LETTER RECEIVED FROM STANLEY COHEN IN THE GULAG

[Stanley Cohen was forced to report to prison on January 6, 2015 to begin serving 18 months, to be followed by one year of supervised release. The following letter was received from Stanley on March 10—Ed.]

My apologies for not writing sooner but all my time at the spa, with my tennis lessons and culinary classes have seemingly left me strapped at days end unable to do little else but plan my menu for the next day. Ughhh....

As expected I am now fully ensconced in a gulag buried in snow with arctic gale winds in rural North East Pennsylvania and freezing temperatures my constant companion. As you well know boredom abounds, with despair glued to the bunks and walls of our cage—nerves frayed and violence always simmering just below the surface, angry guards and prisoners alike for the least slight, real or imagined, ready to explode. Collective punishment here is the "roll call" where the guards look to the 130 or so of us in this 'unit' to police the few of us they see as "malingerers" or who "step out of line", lest the rest of us suffer from the same punishment.

Commisary for all canceled, visits for all canceled, television for all canceled, phone access, emails denied for all if one of us walks to a different beat. Our '"home" is itself a large steel & cement shed with huge picture windows looking out on a barren field, with the windows a constant source of cold. It helps to daydream of faraway places—in this case 20 miles is far away. We have about 50 or 60 mostly young men of color in our unit 25-35 years of age, typically doing 5 years of prison for non-violent complaint-less drug offenses. However a few, actually more than a few, are in the midst of 15 year sentences for nothing more than drugs. The remainder of us are mostly white men, 55 and up, some as old as 75 plus, also here for non-violent "white collar crimes". Most are doing sentences of 10 years or more with many of them in terrible health; men on breathing machines, multiple stroke "survivors" and those waiting to die. None, none pose any threat to the community at large and should be at home—even under home confinement—keeping families together, supporting their kids and/or doing community service. But here, more than anywhere else in the world, the prison industry is profitable with hundreds of thousands employed to CAGE a like number of men or more the vast majority of whom pose no threat to anyone but the political status quo and archaic systematic notions based on race, class, gender and politics.

We act as a forced labor camp for the maximum security prison that we are connected to. One of the 3rd or 4th rated most "violent" prisons in America, it's population of 1500 or so prisoners, with 15% always in the SHU (Special Housing Unit aka the Hole), reflect that for the prisoners doing life sentences with no chance of release other than a mortuary's limo out the back gate and the rest doing at least 30 year sentences. Over the last 16 months or so there have been a dozen or so complete lockdowns often lasting weeks on end, arising from stabbings, murders or sitdown strikes. At least 3 guards and/or inmates have been murdered here during that time. Whenever lockdown occurs, we are dispatched there as scab labor to perform menial mindless tasks that guards would otherwise have to perform, such as cleaning showers, bathrooms, cooking, snow shoveling or looking busy while asleep. When we do the tasks its 12-15 cents per hour. When the guards do it, its $40-50 per hour. As always, greed wins out.

The camp itself is an 80 x 40 yard building without bars, cells or guards with weapons—other than ignorance. Filled with wide open pods of some 30 square feet with bunk beds for all its very much an incubation for germs and disease which spreads from one sick prisoner to 50 overnight. Of course there is a common shower, filthy; and a "ground" bathroom/toilet are for us all, beyond filthy. Having just finished Dostoevsky's "House of the Dead"; his epic semi-autobiographical novel of "life" some 130 years ago in a Siberian gulag where he did a four year bid as a political dissident, its amazing that in so many ways what was then and there is now now and here. When it comes to prison, out of sight remains out of mind. As you know the despair hangs heavy everywhere, all the time.

I cannot complain however, assigned to the prison library some 6 hours a day at 12 cents per hour, I get ample time to read. More important I meet with lots of other prisoners all day long providing help for their appeals or trying simply to give them hope. More than once our small library bristled with heated discussions about life, politics, resistance and hope. In March, I will start teaching several classes on political science, the Middle East, International Human Rights and Law, and tutor young men preparing for their GED—or alternative high school degrees. At days end the censorship at times seems overwhelming with a complete ban on relevant, timely and alternative news and information. This, more than anything else and the pain to my family, is the worst punishment of all. Having been in the so-called "eye-of-the-storm" for so many years, news flashes from Fox & CNN just doesn't do it. This, along with the loss my twitter family, leaves me starved for meaningful exchanges—save for the underground ones with other prisoners—caged, but undaunted nonetheless.

On the bright side, more and more journalists and international news outlets are lined up to visit me creating a dilemma for the Bureau of Prisons; they fear what I will say but fear even more headlines about their refusal to allow the interviews.

That's about it for now; it's "count time".

My love, respect and solidarity to the family we share worldwide wherever people dare to struggle, dare to win. "Caged but Undaunted" is my new hashtag for the millions of political prisoners worldwide; those jailed because of their resistance, race, class, religion or political beliefs. So many more have suffered far more than me. Assassinated, tortured, detained for years of end with no rights, lawyer or trial. To them we owe our absolute respect and thanks. Caged but undaunted, we shall not be broken, silenced or defeated.

UP THE REBELS

[You can write to Stanley at: Stanley Cohen 19846-052, USP Canaan, U.S. Penitentiary, Satellite Camp, P.O. Box 200, Waymart, PA 18472—be sure to write his name and registration number as well as your name and address on the outside of the envelope and on the letter itself, as mail may be delivered to Stanley without the envelope. Be aware that all his mail will be read by prison officials before it is delivered. Do not enclose anything in the envelope other than a letter and/or non-polaroid photograph(s). While you cannot include articles or anything else torn out of a newspaper or magazine, you can print out or photocopy articles and write your letter on the other side. It's also a good idea to number the pages (1 of 3, 2 of 3, etc), so that he will know if a page is missing. Inmates are not allowed to receive gifts or packages by mail.

You can contribute to Stanley's commissary fund, which he can use to buy stamps, food and other items, as well as pay for telephone calls, by sending a United States Postal Money order with his name and prisoner number written on the money order itself and on the outside of the envelope: Stanley Cohen 19846-052. Money orders cannot be sent with anything else enclosed in the envelope and you must include your name and return address on the top left corner of the envelope. Mail money orders to the federal lockbox at: Federal Bureau of Prisons, Stanley Cohen 19846-052, Post Office Box 474701, Des Moines, Iowa 50947-0001.]

STANLEY COHEN: DREAMER OR FELON?

By Len Levitt

[May 26, 2014] Stanley Cohen defends people and organizations that Americans hate: cop shooter Larry Davis; terrorist groups Hamas and Hezbollah; the Syrian government of Bashar Al Assad.

"My role is moderation," he says. "I try to find peaceful and just resolutions to explosive affairs."

Usually, his clients don't listen to him.

So is Cohen a naif and a dreamer? Or is he seen as a threat to the U.S. government, as he claims? He says federal prosecutors targeted him for his political beliefs and indicted him for impeding the IRS. The indictment charges him with not reporting over $3 million in fee income.

Cohen pleaded guilty to the charges last month and may be sentenced to 18 months in prison when he is sentenced. He says he pleaded guilty only to end years of litigation and spending of hundreds of thousands of dollars in defense fees, and to avert fracturing his American Indian family on the Mohawk Akwesasne territory in upstate New York, where his common law wife of 18 years, Joni White, was born.

"The government targeted me to criminalize dissent," said Cohen, whose plea followed his representation of Sulaiman Abu Ghaith—an adviser to and the son in law of Osama bin Laden, who was convicted in March of conspiring to kill Americans.

A law enforcement official familiar with Cohen's case says: "Law enforcement agencies target people who commit crimes."

To people who know Cohen, the idea that he would hide money to enrich himself is both bizarre and startling. Sixty three years old with a full white beard, he lives above a bodega on the Lower East Side, drives a Land Rover that, as of May 9, had 161,806 miles on it.

"I have strong and unpopular beliefs," he says. "I spent years pissing off anyone I could in the west regarding the Middle East. I've played a heavy role in Hamas for years. I walk between different worlds."

How does he view himself? As "a Jewish revolutionary, fighting fascism," he says. His hates, in the following order, are: the government of Israel; President Obama. [He's worse than Nixon;"] and Attorney General Eric Holder: ["A pimp."]

On his apartment wall is a picture of Cohen standing between Sheikh Ahmed Yassin and Ismail Abu Shanab, founders of Hamas. The picture was taken in Gaza in 2003. In Yassin's house, he says.

"Within a few weeks both were assassinated by missile attacks by Israel," said Cohen. "Shanab was killed in his car. I was close to both of them. I was in that car two months before."

Cohen says he is the son of an Orthodox Jewish father and the first person in his family to attend college. A brother is a Baptist minister.

He says he started college at Long Island University, was thrown out for anti Vietnam war activity, graduated in 1973 from Manhattanville College, formerly an exclusive Catholic girls school—its 36th male graduate. In 1974, he volunteered for VISTA, the domestic equivalent of the Peace Corps. He was sent to Kansas City, where the first thing he did was to organize the chambermaids at the hotel where he was training to strike over working conditions.

In 1987 while working as a Legal Aide attorney in the Bronx he represented 20 year old Larry Davis, who shot and wounded six cops, becoming the subject of a city wide manhunt.

"Larry's family approached me to negotiate peaceful resolution," he said. "I negotiated with the police department and local precincts, trying to put a protocol together to arrange for his surrender to guarantee his safety."

As it turned out, Davis's surrender was not an issue. He surrendered peaceably as police closed in on him.

Cohen joined attorneys Lynn Stewart and William Kunstler in defending Davis, who had become a folk hero among some black New Yorkers. He was acquitted of the most serious charges, including attempted murder, but was subsequently convicted of murdering a drug dealer. He was killed in a prison fight in 2008.

In 2010 Stewart was convicted of passing confidential information to a designated foreign terrorist organization from one of her clients, the blind Egyptian Sheik Abdel Rahman, ringleader of the 1993 World Trade Center bombing. Now disbarred as an attorney, she was freed on a "compassionate release" in Januray. Cohen maintains that, like him, she was targeted by the government.

His first prominent Mideast client was Mousa Abu Marzook—of the political wing of Hamas and whom Cohen represented from 1997 99. "He was busted at Kennedy Airport on a federal immigration violation, although he had lived in the U.S. for 14 years."

Cohen says Israel requested his arrest after a series of suicide bombings and demanded his extradition.

"I represented him for 22 months. Eventually, I negotiated a settlement whereby he gave up a lawful claim of residency in the U.S.. He was transported to Jordan where he lived for five years, then relocated to Damascus. He is now in Egypt. I have seen him two to three times a year for 15 years."

Cohen says he has also represented Hezbollah, which the U.S. also designated a terrorist organization, following the marine barracks bombing in Lebanon in the early 1980s. "I was asked to give a legal opinion concerning al Manar, a television station they run, after the U.S., designated that a foreign terrorist organization."

While in Beirut at the beginning of the Syrian civil war, Cohen said he was asked for advice by the Syrian government. He says he ended up at a government palace outside Damascus, meeting with a female Syrian lawyer who was an advisor to Bashar Assad.

"She asked my opinion on the unfolding events in Syria. I spent two hours with her, saying they still had time to build a national consensus, that the government had to open up and offer opportunities to people. They didn't take my advice. I never heard from her again."

Cohen says he also developed contacts with the Iranian government. "Political people, intelligence people, military people, some of which was documented in the Abu Gaith trial. Iran and the U.S. were exchanging prisoners. The U.S. turned over people from revolutionary groups the Iranians wanted. The Iranians turned over at least 11 Al Qaeda activists. Seven ended up in Guantanamo, four disappeared."

He says he saved the life of a CIA contract agent in Gaza, who was escorted to the border and released to Israel. He says the agent contacted him five years ago to thank him. "I received a phone call. 'Is this Stanley Cohen? You have no idea who this is, I never got a chance to thank you for something in Gaza in 1997.' Then he hung up."

Then, there was Daniel Pearl, the Wall Street Journal reporter who was beheaded by Al Qaeda terrorists in Pakistan. "A client of mine, who was in trouble with the government, received a tape of the assassination. I was involved in negotiations in which the tape was given to the feds. There was a quid pro quo. It ended with my client's being allowed to leave the country on the eve of his indictment."

Cohen's impending prison term doesn't seem to faze him. Two weeks ago he was in Switzerland, speaking to the Swiss Islamic Association on "Nachba"—what Arabs call the "catastrophe" of the founding of Israel.

"I'm not afraid of prison. I don't care about money, only about fighting the fascist state. I refuse to go silently. I am a role model for the next generation. I am 63, I have 15, 20 years of fight left. An International public outcry is developing, including Amnesty International, in South Africa, Paris, Istanbul. I am getting support from people all over the world."

[Len Levitt runs NYPD Confidential.com, a weekly chronicle that provides an inside look at the NYPD that the mainstream media usually looks away from. Stanley is a case in point.]

SHADOW INTERVIEW

"PAY2PLAY" DIRECTOR JOHN WELLINGTON ENNIS

By Rachel Cleary

Ever wonder about the little monopoly man? You know, the mustached black and white cartoon character in the top hat? Director John Wellington Ennis wondered about him too, especially when he started seeing him appear in street art while he was working on his feature documentary PAY2PLAY. What he discovered was that the little fellow has a name, that the board game he is associated with actually has anti capitalist roots, and that there are still a few politicians out there who operate outside of big PAC [Political Action Committee] money.

PAY2PLAY is a critical examination of the role money, or funding, plays in our political system. Ennis describes the current status quo as a "pay to play" system. Essentially, those who can shell out the greatest amounts of money into the political system via PACs, lobbying, and direct contributions to political candidates can have the greatest influence on the direction our government takes. The film makes the point that the ability of a select few to control so much of what happens on Capitol Hill undermines the equal representation all citizens are supposed to have under the law.

It feels like a journey of sorts, as Ennis digs deeper into the conditions that have led our democracy on this path, discovering along the way the origins of the game Monopoly, the legal battles around which present an interesting parallel to the pay to play culture; a local candidate in an Ohio election who campaigned without any PAC or corporate funding; and resistance to the system via the street art movement.

In addition to featuring interviews with "players" like Jack Abramoff and activist artists in the Los Angeles area, PAY2PLAY makes a point to examine what can be done to address issues brought up in the film. For nearly every condition Ennis presents as a major factor of the pay to play system, he offers an action that citizens can take to address said condition. Ennis isn't just presenting a corrupt system and asking us to be optimistic; he's giving us a reason to be optimistic.

In my interview with Ennis, we discuss in further detail what one can do to operate outside of, and even undermine the pay to play system, as well as future projects and the stories that inspired the story.

SHADOW: What got you on the path for doing this film?

ENNIS: I guess the two things before I started this documentary in my life were my time in NY where I was doing this cable access show for five years and then when I moved to LA and I worked in reality TV for five years. I learned a lot through those things—not just production, but what it takes to pursue a story or a laugh, or a dramatic point, if you're so inclined.

It's kind of crazy to look back now and see how far I was willing to go, to just call up officials in Ohio. Well, considering that this is state government officials, lawyers, investigators, you know, random journalists across the spectrum, it's not like people I would ever approach or hang out with. I never knew anything about a state like I ended up learning about Ohio. I'd say between the sort of confrontational style of our cable access show and the sort of "act like you're a professional" tv producer act that you do with reality tv, sort of instigate funny things from people, I found a gumption that I probably wouldn't have had earlier in my life.

SHADOW: I hear ya. Did you think, "Well society's screwed up and I'm gonna go find out why exactly", or was it something you already had a leaning towards and were educated on and thought that was the way to go?

ENNIS: I think that's an interesting thing. When you're coming of age, you're just starting to realize that things are wrong in the world and you can't quite put your finger on it, you have the feeling like it might have something to do with money. It takes a good lot of studying over the years to understand all the different ways this starts to happen in the way that our society can be so unjust. And so looking at the roots of these different kinds of problems led me to examine how money and politics kind of is the root of all of our biggest problems, and if they're not, they're certainly in the way of fixing those problems.

SHADOW: What is the connection between you and Richard Ennis of the consulting firm Ennis, Knupp + Associates featured in Pay2Play?

ENNIS: Amidst a crisis of dual corruption scandals at the Ohio Bureau of Workers Compensation [BWC], then Gov. Taft assembled a Management Review Team to audit what had happened at BWC. They needed someone from out of state because they didn't know who to trust anymore. The kicker was, and I never even got to get into it [in Pay2Play], when the Coingate scandal broke in 2005, it was over $50 million given to Thomas Noe [Ohio Republican party fundraiser and activist, guilty of money laundering for the 2004 Bush Cheney campaign and of theft and corruption in the "Coingate" scandal–Ed.]—$13 million of that was missing. Right after that, it came to light that one of the other BWC investments had just blown $250 million in some hedge fund called MDL—and they didn't even get Beanie Babies or coins to show for it.

My dad's firm EK&A was part of that audit of the BWC's investment office, which was in chaos. He mentioned it to me over Christmas 2005 and I started thinking about using comical corruption to show need for reform, but getting past party divisions by using humor. But all that got so obtuse to describe, and after focusing instead on the colorful capers of Coingate, I thought that would be a better parable. Yet, still I kept seeing more in the big picture of how citizens get shut out of democracy. Ultimately, Tom Noe is briefly used as an example, whereas I thought that was going to be the whole film.

Anyway, you think you are making a film about one thing, and then it's another and another and another.

SHADOW: [In Pay2Play] you interviewed Jack Abramoff [former political lobbyist at the center of an extensive corruption investigation that led to his conviction and to 21 persons either pleading guilty or being found guilty, including U.S. Representative Bob Ney and nine other lobbyists and Congressional aides–Ed.]. How were you able to get him to speak so openly and frankly with you about some pretty shady stuff?

ENNIS: It's weird how when I was making Free for All [a documentary detailing Republican Party efforts to remove people from voter rolls to maintain a partisan advantage in elections—Ed.], we mentioned Jack Abramoff as a connection to Bob Ney, who was a convicted Congressman who helped author the Help America Vote Act, which disenfranchised lots of people with touch screen voting. He [Abramoff] has now gone through prison, come out and released a book [Capitol Punishment], examining the process from his experience. He is very forthcoming about the problems of money in politics, and I sought him out to vouch for how the return on investment in politics is beyond our wildest imaginings.

SHADOW: Was there anything additional from Abramoff that was not included in Pay2Play?

ENNIS: I was struck by a lot of the things that Abramoff said that I wished I could have included in the film, because he is able to point to a lot of the real symptoms, like Laurence Lessig [does] in his expansive book [Republic Lost: How Money Corrupts].

One thing he said that stuck with me is: "99% of what I did was legal. And that's the problem." Another thing he said when I asked what kind of reforms would make a difference was "term limits. I know some people are against them because it might prevent good people from being able to serve, but If I'm a lobbyist, from my perspective, I'm building a relationship with that person. If there's new people every two, four, six, eight years, I've got to start from scratch, as opposed to someone I've known for 12, 20 years. I've already cozied myself up and invested into that relationship. So I think it's probably better."

He's also interesting because he's extremely Orthodox Jewish, so he's got very rigid moral, ethical constructs that he adheres to.

SHADOW: And yet...

ENNIS: He's an interesting character, but he's a good talker, so I think he really helps in the film, and I was glad to be able to include him in our street art campaign.

SHADOW: I found it interesting how you brought street art into everything. Obviously, art has always been a means of protest, but you looked at billboards, and you looked at the size and scale of them, and you compared them to the kind of murals we see in Brooklyn. I appreciated how you tied that in there. Was that something you intended to do from the get-go or did the story lead you down that path?

ENNIS: I present the street art as a quirky deviation, a fun sort of escape and I want to keep people engaged, like "Where is this going?" That reflects my process in going through the film. When you're really try to tell the story, especially over so much time, there's lots of different ways to do it.

SHADOW: You need the visual. When everything's so fast-paced, you need a visual to tie it all in

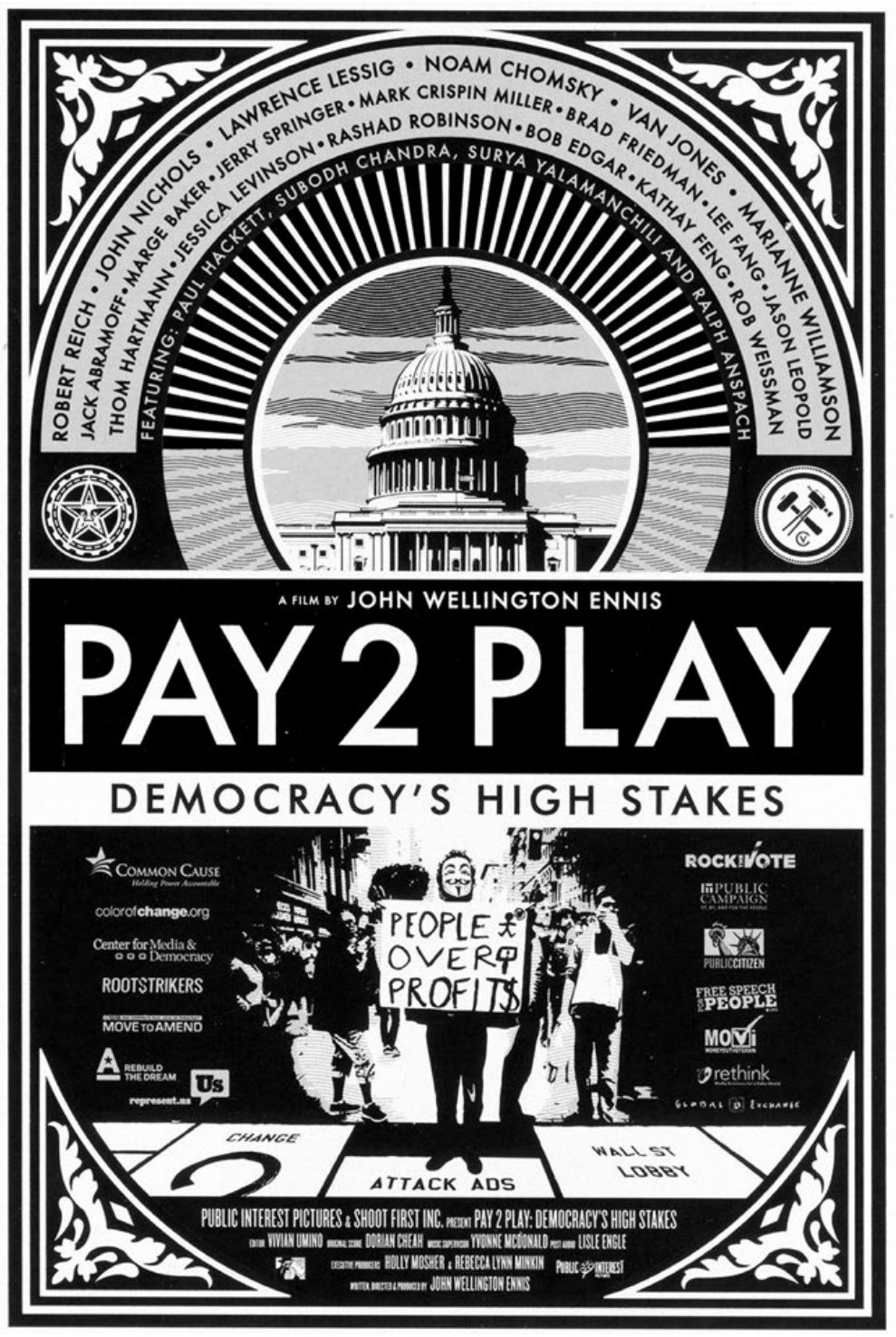
ENNIS: It's existential.

SHADOW: In the film you suggest how we can change things. For example, legislation and free ad time for candidates. You featured [independent Congressional candidate] Surya "Chili" Yalamanchili. It was great to see his journey from beginning to end, plus the wonderful cutaways where you see what people are saying about him and then how his operation runs. You showed how this guy could run an honest campaign and make a dent.

I think that part of the solution is to support candidates running honest campaigns, or campaigns not

Continued on next page

THE SHADOW PRESENTS A FREE SCREENING OF PAY2PLAY!!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WRITTEN, DIRECTED & PRODUCED BY JOHN WELLINGTON ENNIS

Sunday, March 29 at Videology:
308 Bedford Avenue, Brooklyn
at 5:00PM
(Q+A With Filmmakers After Film Showing)

SHADOW INTERVIEW

Continued from previous page

indebted to big interests. For the average person who wants to support someone like that, how do you find out who they are?

ENNIS: That's an excellent question. I learned working in reality tv how to overproduce so many stories that you could fall back on because you don't know what's going to happen, and that's probably the best lesson
I learned.

Five years later, I looked back and said, "Who's running against Jean Schmidt [Congresswoman for Ohio's 2nd congressional district, from 2005 to 2013] now?" And I had this file of Jean Scmidt's antics. And low and behold, here's the walking talking embodiment of everything I was trying to make a film about. He [Yalamanchili] happens to be the only candidate not taking any PAC money. Because it's such a rare phenomenon, I want people to see this movie to know that people are able to make a dent through doing this.

That being said, because there are so many, there's such an advancing coalition of people and groups coming together, people will respond essentially to somebody who will just pick up the clean money mantle. Laurence Lessig has got a PAC now called "May Day.U.S.", where they're backing candidates in different races that are part of a larger clean money agenda. It doesn' t have to be necessarily one side or the other. You just submit a 30 second spot for this campaign ad that they have.

SHADOW: How would you compare or contrast your film to other documentaries, like Inside Job [2010 documentary about the late 2000s financial crisis by Charles H. Ferguson] and Capitalism:
A Love Story [2009 documentary about the late 2000s financial crisis by Michael Moore]?

ENNIS: I don't mind getting compared to other documentaries. Capitalism: A Love Story is very relevant and it tackles the parts of the chain of disenfranchisement, and they all home in on different parts. I think we homed in on the electoral campaign of that circuit and my focus, I was hoping, would be the rate of return on investment. If you compare Pay 2 Play to Capitalism: A Love Story or Inside Job, the specific take is that it's a huge return on investment for everybody, and that's why I wanted to get Jack Abramoff, because he could testify to that.

SHADOW: Where can one get a copy of Pay 2 Play? I know you're touring different cities right now.

ENNIS: We've released it on DVD and there are some cool extras on the street artists in the film. It's really cool to see how people have taken, through our website [< http://www.pay2play.tv/ >] , to doing house parties [showing Pay2Play] in so many cities across the country. I just saw today that someone is setting up a screening in Witchita, Kansas, which is the home of Koch industries. It's happening in so many random places and it's really exciting.

The website is on NationBuilder, which was pioneered by the Obama campaign. It's like social media on steroids, to try and introduce people, and then delegate and make it easier to jump in, so our website is built on that.

SHADOW: Where do you go from here? What's next for you?

ENNIS: I'd love to be able to make sure that Pay2Play gets to college campuses because I think it would really inform and inspire a lot of people going into the 2016 elections. I guess that's sort of the model now for documentaries–that you spend a year or two going around with it. I'd love to be able to get the support to make the next film or films I already sort of started on the way to making this one. I started a film about Rudy Guiliani, which gets into his years in New York. I started a film about rappers and politicians. So I'm hoping that I can realize these much sooner than the time it took to complete Pay2Play.

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TACTICAL MEDIA

WE ARE DRAMATIS PERSONAI

2014 has been a banner year for the violation of privacy in America.

By D.P.

The violators include Google, Facebook, Microsoft, Dropbox, Twitter, Apple, Snapchat, and countless others. We as consumers agree to use their platforms for free, disregarding the hidden cost: our privacy and data, which they use either to sell to other companies or to develop new products of their own to sell to us. Welcome to the era of Big Data.

One might argue that this is a fair exchange for a free service. Maybe. But surely there is a limit to what companies can appropriate from its customers? In his memoir/corporate manifesto Conscious Capitalism, Whole Foods founder John Mackey offers an apologia for America's current death embrace with free enterprise by distinguishing "pure" capitalism from "crony" capitalism. "Pure" capitalism has lost its identity over the years, succumbing to greedy business people who could not survive in a healthy free market and thus have opted to leverage their influence by "using the power of government for their own enrichment."

So the government in turn helps the corporations, trading democracy for corporatism. Which means corporations have more rights than citizens. Is it fair that Dropbox can own the business information found on the files that you send though its service to a select few? Or that Microsoft can—without warning!—go through all of its users' email accounts or to hunt down an employee who sold trade secrets to a competitor? Or that a collection of searches on a terminal medical condition can be shared by Google with an insurance provider that could result in the searcher losing his coverage? How is this fair?

We are not talking about a Republican or Democratic issue. What unites people across the political spectrum isn't money, arms, or oil. It is the basic civil right that is the latest and perhaps most egregious of the many corporatist offenses we've suffered since the court created "personhood" of corporations and the repeal of Glass Steagall—our right to privacy.

When Google, Microsoft, et al. aren't exploiting your data, they are colluding with government, namely the National Security Agency [NSA] to store and retrieve information on each and everyone of us. Case in point: The PRISM surveillance data mining program [launched in 2007 by the NSA], which coerced Yahoo, Facebook, Apple, Microsoft, and Google to surrender data of its customers under the guise of anti terrorism. But the collection of data was so extensive that any combating of terrorism was incidental to NSA's flagrant overreach.

Of course, there is a financial incentive here. The corporations in question save billions a year in offshore tax shelters, and the government makes shadows to stop them while tacitly approving their actions. [Apple avoided $9 billion in US taxes in 2012, Microsoft $30 billion in 2014.] The Obama Administration has done nothing to recoup these lost tax revenues other than bluster. Let's face it: the tax shelters are nothing more than a reward for tech companies' bending over for every NSA data raping.

This country's forefathers knew that they needed to institute laws to preserve our basic immutable rights so that we can be protected by those who run roughshod for a grasp of power. But in a society that is too carefree with its selfies, too casual about what they share in social media, too indifferent to abject violations of our privacy rights, can we fight the growing corporatist power that calls itself the United States of America?

Is there a wake up call loud enough to shake our society from its endless digital slumber?

The answer lies in the hands of Dramatis Personai, a global hacktivist organization dedicated to informing the public of their privacy rights and its deprivations. We are hackers and Luddites. Liberals and conservatives. Wealthy and poor. Freedom seekers and freedom fighters. Experts and n00bs. What brings us together is a tireless resolve to preserve our right to privacy. We will do anything to assure that this basic human right is sacrosanct and immune from compromise.

WE ARE DRAMATIS PERSONAI.

While there are strong similarities to Anonymous and Wikileaks two organizations that have our utmost admiration we differ in one area. Our goal isn't solely to destroy the computing infrastructure of a government, company, religion, or cult. Nor is it our sole goal to release classified information to expose the corruption of world governments and corporations. We are hell bent on watch-dogging these offenders, educating the public on relevant violations, and galvanizing citizens around the world to reclaim their right to privacy.

We encourage our followers to use their right of free speech to regain their free speech by any legal weapon at their disposal. Digital or in person activism is strongly welcomed. This does not mean we are remiss on hacktivism. This is our nuclear warhead. But like any weapon of mass destruction, it should be left in the hands of those who know how to use it wisely.

Our work commenced in June 2013. The people who established Dramatis Personai found ourselves speechless over the Edward Snowden affair. Julian Assange's releases of classified data were petty slaps in the face compared with the PRISM surveillance program. That changed everything.

We reached a point where we could no longer morally digest or fathom such a blatant betrayal of our country's values. We found one another online and discovered we were (and are) proud Americans and global citizens, in our late 20s to early 60s, from Middle America and Urban America, from the progressive Middle East and the heart of Brussels, fathers and wives, sons and daughters, friends and neighbors. Some of us are software engineers with a lot of skill but little interest in advancing in big tech companies that are the heart of the problem.

We have expanded our membership to include people from around the world. But the core group of founders remains. We have stayed with our respective employers, working on the inside and gathering industry intel that can eventually be used to poison our hosts.

Our devotion to this cause has become a second job for many of us that we pursue with fervor, as privacy violations continue to mount each day. Some of our targets have included: Google's Senior Vice President of Search Amit Singhal; Alabama Governor Robert Bentley; and National Cyber Cecurity Director Phil Rietinger. There is no worm we cannot create. There is no hyper encrypted code we cannot break. We are a growing number of seasoned tech professionals who will take you down if you betray this basic human right.

We are currently coordinating several protests around the world including. Our goal at these events is to send a message: no corporatist entity is safe from our warpath. We will continue this journey until meaningful legislation in this country is implemented to safeguard our privacy rights.

If you are interested in joining us, please visit us at: www.whatisthesilenceofsix.com for contact information.

If we do not confront this issue head on now, the collusion between government and corporations will solidify permanently. Checks and balances is becoming a laughable notion. And so, too, will our entitlement to our own data and private thoughts.

This must be stopped.

We are Dramatis Personai.

Life is Theater. Watch. Laugh. Weep. The curtain is rising. #TruthIsComingSOS.

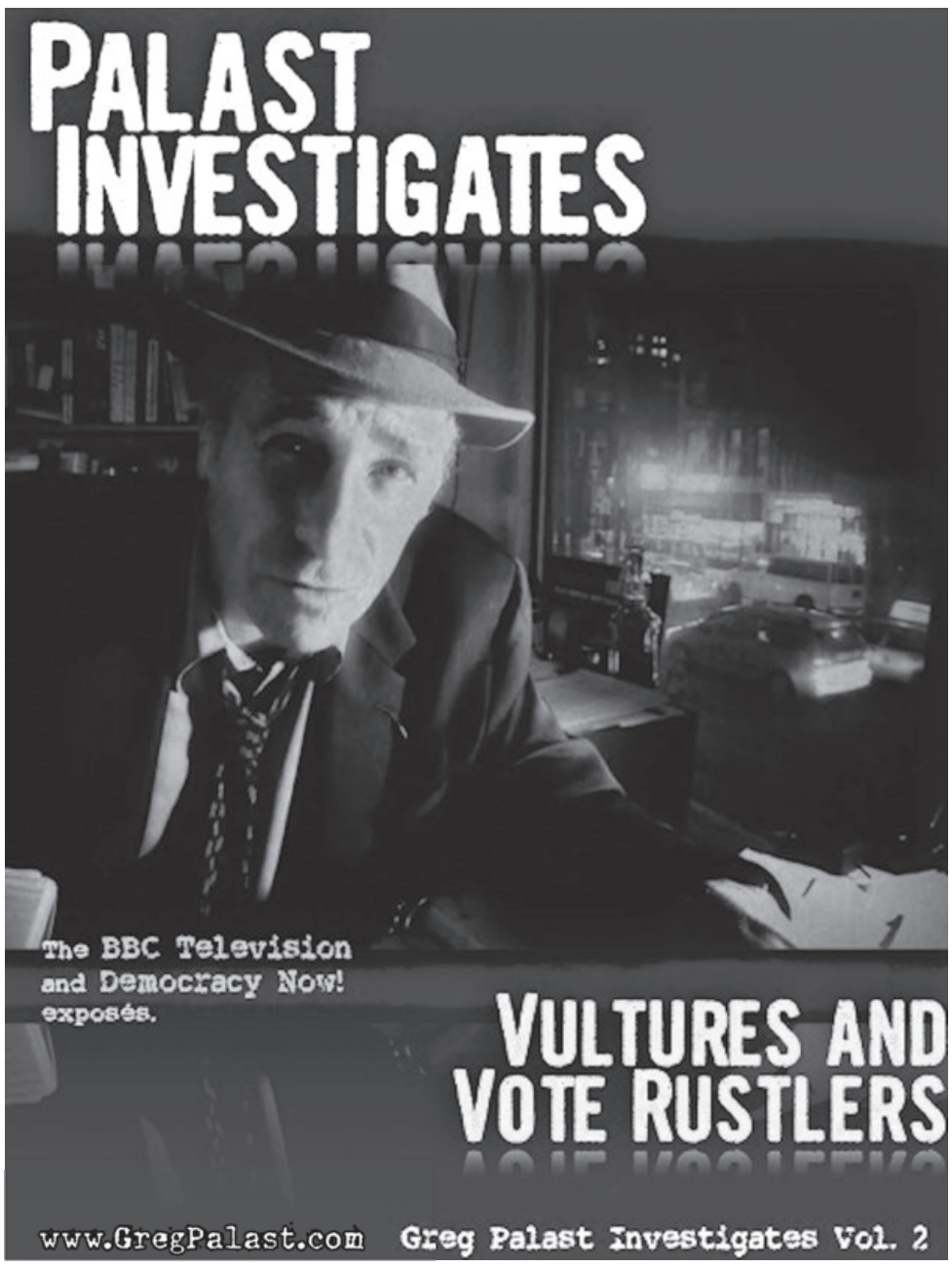
MORELAND COMMISSION & SILVER

Continued from page 5

- April 22, 2014: NY State Attorney General Eric Schneiderman files a letter in NY State Supreme Court withdrawing the subpoenas related to outside income and requesting that any pending motions be dismissed.
- July 2014: The NY Times publishes a lengthy story saying the Cuomo administration interfered with investigations by the Commission. This detailed accounting, along with Cuomo's lengthy denial of any interference, renews discussion about the Moreland Commission's findings. Cuomo and Fitzpatrick deny the accusations of interference.
- December 2014: Silver acknowledges he's earning money from a second law firm not found on his public disclosure notices.
- January 22, 2015: Silver is charged with five counts, involving political corruption. He faces 100 years in prison. He denies all charges. Bharara continues to investigate lawmakers.

In an October radio interview, Bharara described New York's government as "a little bit of a corruption disaster," and specifically pointed to lawmakers' odd sources of income. "You've got all sorts of problems, but one that people have been right to focus on lately — you have the unrestricted level of outside income that any elected official in New York can have," he said. "And that means a lot of things for the people of New York. When there's precious little disclosure, precious few consequences for violations, you're going to find huge opportunities for corruption, and at a minimum for conflicts of interest."

Reforms in Albany being discussed include introducing term limits, giving members more say in what bills get a vote, and banning or limiting outside income. Barbara Bartoletti, legislative director for the League of Women Voters of New York State, who was a special adviser to the Moreland Commission, told the NY Times she hopes Silver's arrest will change Albany for good. "The eternal optimist in me says this event may be the tipping point needed and they will finally do something on ethics reform," she said.



SILVER'S ANTONIO PAGÁN FACTOR

Continued from page 4

attacked, using horses, a helicopter and cops from all over the city, but the NYPD, in one of its biggest defeats, was driven from the park after a night of pitched battles with neighborhood residents.

Pagán reflected a group of local politicians who had decided that social activism on behalf of the poor would not benefit them. When it was discovered that Pagán was trying to sell his city-owned low-income apartment at 7 East Third Street for a profit, he told detractors that "no one can tell me what to do with my piece of the rock."

Among other blood suckers in the neighborhood at the time was Roberto Napoleon, long time head of the Baruch Tenants Association and an early Pagán supporter. Napoleon's political club received contributions from Sheldon Silver's campaign committee, as well as from former State Senator Martin Connor, also a Pagán backer, now an attorney for Governor Andrew Cuomo.

Supporters of Friedlander, such as long time activist Frances Goldin, opposed the Pagán juggernaut in the early 1990s, claiming that Napoleon was corrupt. But another former ally of the JPC, Roberto Caballero, claimed that Hispanic "empowerment," not Napoleon, was the main issue in the election, and that he would not dignify the characterization of Napoleon as "corrupt" with a reply. Pagán also defended Napoleon, claiming that "the same kind of accusations can be hurled and have been hurled at each and every one of Miriam Friedlander's supporters." In 2012, Caballero was indicted for embezzling more than $250,000 from a Forsythe Sreet building where he was the property manager.

The effect of Pagán and that of his cronies on the Lower East Side was to pave the way for the mass-gentrification of the neighborhood, its re-branding as the "East Village", with vast increases in rents that have forced old time residents out and created a frat party atmosphere to replace the funky artists and political activists who gave the 'hood its character for generations.

The recent indictment of Sheldon Silver has brought another, larger dimension to the cabal of corrupt politicos that hovered around the speaker in the early days of his career.

In the early 1980s, the City government wanted to spark a land rush in the Lower East Side, a neighborhood that dystopian crime films of the time portrayed as hopeless slums dominated by gangs and drugs. The films were an ideological assault on a community with a long history of resistance, but which had fallen on hard times.

The first salvo in the developers' assault was a plan for "artist housing," which was opposed by Friedlander and the progressive "Artists for Social Responsibility" who didn't want artists used as a front for gentrifiers. The failure of the first plan was followed by a new proposal called the "80/20" plan, which would have required developers on the Lower East Side to set aside 20% of apartments in their buildings for low-income residents in return for property tax breaks. While the tax abatements were a great success for developers, there was no attempt to enforce the 20% provision on the Lower East Side.

Property tax abatements were to be granted through the 421-a program, a city-funded reduction on property taxes of developers who participated in the 80/20 plan. The tax break became part of a city policy of subsidies and give backs to billionaires. This policy was spearheaded by Speaker Silver, who, two years ago, pushed through a bill to extend subsidies to the "Billionaires Row" condos south of Central Park, represented by One57, a 1,000 foot tall tower on West 57th Street. One57 is owned by the Extell Development Company, the offspring of Gary Barnett, a former diamond dealer and billionaire developer. Like Silver, he was born and raised on the Lower East Side.

One57 is one of five billionaire high rises that have come under scrutiny recently because some of its international billionaire tenants are suspected of using the units to hide money. The United States allows rich investors to conceal the sources of their money behind shell companies and limited liability corporations. Late last year, a penthouse in the tower was sold for over $100 million to what the NY Times called a "mystery buyer." The real estate tax on one of these apartments should be about $250,000 a year, but with the property tax relief covered by city tax payers, the billionaire residents have been saving $186,000 on average.

The total cost of just the 421-a property tax break to the city was been over $1 billion in recent years. The use of the 421-a tax break was heavily promoted by the Bloomberg administration to entice billionaires to the city and has been growing rapidly for the past decade.

One57s tax abatements granted under the 421-a program were highlighted in the indictment against Silver. The One57 condo got $35 million in tax breaks. According to the NY Post, the Moreland Commission was reportedly investigating the "sweetheart tax abatements" scored by developer Barnett for One57 when Cuomo abruptly shut the panel down last year and the feds took over the case. According to Barnett, the tax breaks funded low-income housing units in the outer boroughs.

A report by the NYC Independent Budget Office contradicts the assertion that 421-a has built significant units of low income housing. According to the report, as of 2005;"..only 7% (4,905) of the 69,000 units subsidized through this program were affordable to low or moderate income families." Housing group Habitat NYC says that "the percentage [of affordable housing built under 421-a] for recent years is even lower." Only in the so called "exclusion zone", between 14th and 96th streets, are affordable units required under the law. According to the Pratt Center for Community Development, the Lower East Side, Sheldon Silver's district, has not seen any low or moderate income housing built under the 421-a tax break.

Soon after Sheldon Silver's release on bail, he was forced to resign as Assembly Speaker. He told reporters that he expects to be "vindicated." Upon his release, Silver was treated as a hero by his core constituency at Grand Street. Referring to the story of Exodus, the rabbi at Silver's synagogue, Mordechai Greenberg, linked the Israelite's exodus from Egypt to Silver's current legal troubles. Whether the former Speaker can "part the waters" is yet to be seen.

THE SHADOW NEVER SLEEPS!!

PLAYING THE DEAD MAN'S HAND

Continued from page 15

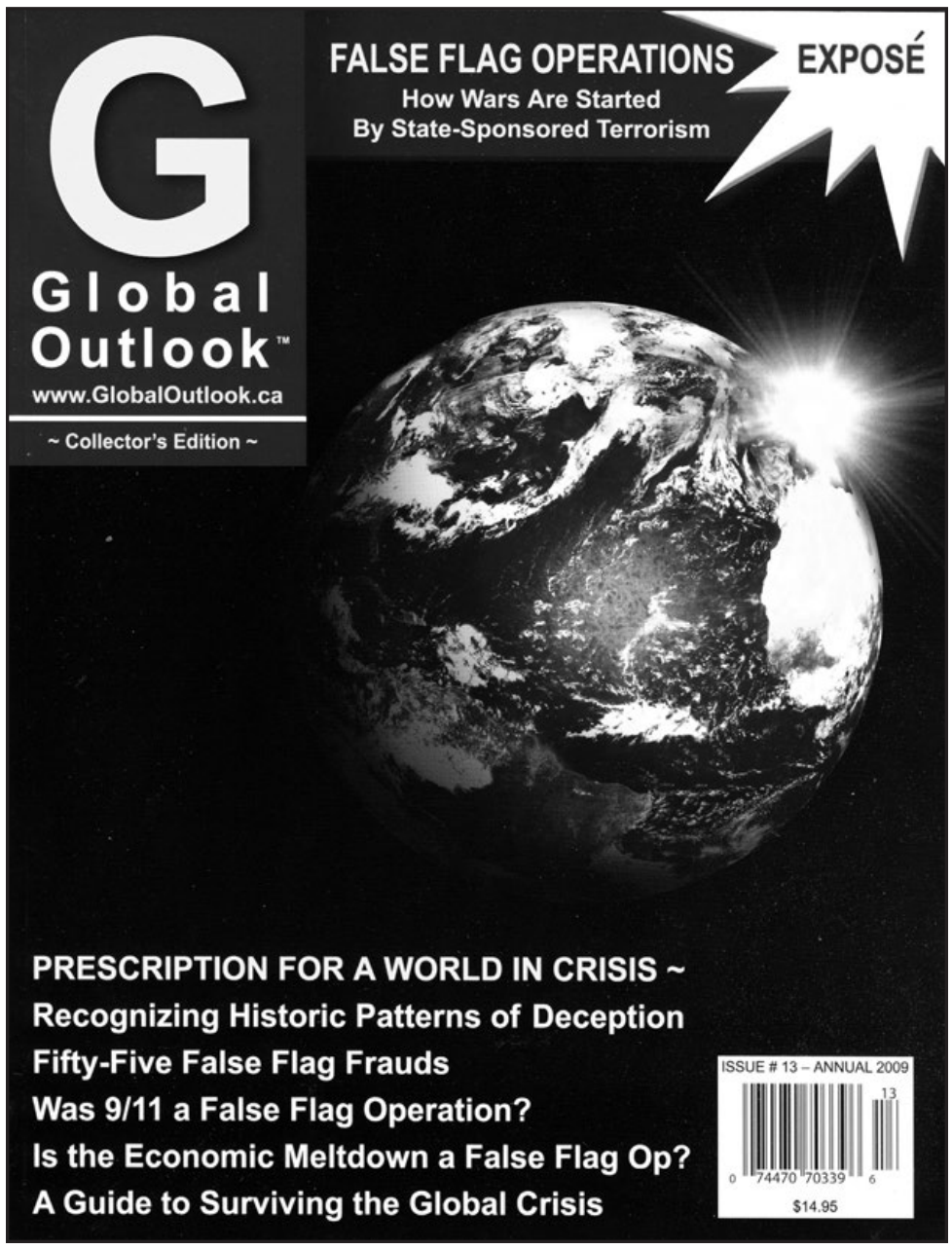
of 2014, when improperly blacked-out documents obtained by the Boston Globe identified FBI agent Aaron McFarlane and two Massachusetts state troopers assigned to the case, as well as a Florida task force officer, who remained outside the apartment during the interview. The Florida District Attorney said the names of the agent and officers should have been kept secret out of "concerns for the investigators' safety."

The Globe discovered that before he became an FBI agent in 2008, McFarlane was a cop in the notoriously corrupt Oakland, California Police Department during the biggest police scandal in the city's history. Who had testified about corrupt activities in the department. McFarlane was also named in several suits against police brutality in Oakland.

McFarlane claims that Todashev confessed to helping Tsarnaev kill the three men in Waltham a short time before he was shot. It was later reported that Massachusetts troopers recorded the confession, but the recording has not been released. The official story is that Todashev was about to sign a written confession when he was killed, that McFarlane was alone with one of the two state troopers when Todashev allegedly flung a table at McFarlane's head and threatened the other officer with a broom handle before he was shot and that Todashev managed to get up from the floor after being shot and was hit in a second blast of bullets. There has never been an official explanation of how police connected either Todashev or Tamerlan Tsaraev to the Waltham murders. After the killing of Todashev, investigators returned to his friends, asking more questions about the triple murders. Even though the named suspects are both dead, the case remains open.

As the trial continues in a Boston federal court, thinking people can only surmise that whatever the verdict, the case of the Boston Marathon Bombing will also remain open.

[Paul DeRienzo is host of *Let Them Talk*. Catch it live on MNN every Tuesday at 8:00pm, or on the web at: www.youtube.com/letemtalk]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TARNISHED SHELDON SILVER

Continued from page 4

saw to it that city-owned buildings and land, much of which had been lovingly transformed by neighborhood residents into rehabilitated squats, homesteads and community gardens, got into the hands of high end yuppie developers, including BFC Partners, owned and operated by Pagán pal Donald Capoccia. Any requirement that the properties be used for the benefit of low-income tenants was satisfied by instituting phoney plans dedicating 20% of apartments in a given development as "low income" housing, but only for six years, after which rents would revert to market rate. Developers all received hefty tax abatements for "preserving affordable housing" under the 420-a tax abatement loophole. Pagán enriched himself, gaining ownership of more than a dozen city-owned properties through his control of the phoney housing groups that managed them, and a valuable residence for himself at 7 East Third Street.

In 1998, Silver "de-friended" Pagán, backing Judith Rapfogel, wife of William Rapfogel, to run for Pagán's City Council seat. Rapfogel was beaten by Community Board Three member Margarita Lopez. Pagán ran instead for Manhattan Borough President and lost. He was then hired by Mayor Rudolph Giuliani as "Commissioner of Employment", for which he received $125,000 per year for four years, after which he devoted himself to fine dining and drinking booze, passing away in 2009, at the age of 50 at the bloated weight of 420 pounds.

6. ALL IN THE FAMILY CORRUPTION. Much of Silver's dirty work on the Lower East Side was carried out by his chief of staff Judith Rapfogel, who was his intermediary with real estate developers and poverty pimps looking for largesse from Silver. Judy Rapfogel is the wife of William Rapfogel, executive and CEO of the Metropolitan Council on Jewish Poverty, a charity that has received hundreds of thousands of dollars each year in grants from the State Assembly, via Shelly Silver.

In April 2014, William Rapfogel pleaded guilty, with three co-defendants, to participating in an insurance kick-back scheme that stole $9 million over 20 years from the charity, of which Rapfogel personally received $3 million. In July, Rapfogel was sentenced to 3½–10 years in prison.

7. SABOTAGE OF RENT PROTECTIONS. In 1997, as NY State Senate Majority Leader Joseph Bruno was threatening to block renewal of rent protection laws for New York City residents, Silver met with Governor George Pataki and Bruno and agreed to allow a 20% rent increase when any apartment changed hands. Silver touted his role in this betrayal as having saved rent regulation from Bruno's attempt to destroy it altogether.

Silver also colluded with Republicans in enacting "luxury de-control", under which apartments renting for $2,000 or more per month would be removed from "rent regulation" and become market rate housing, meaning that landlords can as much rent as the market will bear. (That threshhold has since been increased to $2,500 per month.)

One of the charges in the 2015 criminal indictment against Silver is that he took $700,000 in bribes to scuttle changes to rent laws that would have removed the 20% vacancy increase that Silver, Bruno, and Pataki and awarded landlords in 1997.

8. KICK-BACKS FROM LAW FIRMS. According to the criminal complaint against him, Silver received large payments from Goldberg & Iryami, a law firm that specializes in seeking reductions of New York City real estate taxes. Silver is not known to have any expertise in the complex and highly specialized area of the law in which Goldberg & Iryami practices, known as tax certiorari, which involves challenging real estate tax assessments and seeking reductions from municipalities. Another incident noted in the complaint says that Silver got $700,000 from Goldberg & Iryami for secretly pushing a major real estate developer to use its services.

More than two dozen real estate developers who were clients of Silver's law firm Goldman & Iryami received tax reductions under the 421-a tax abatement provision. a plum for landlords that was originally designed to act as an incentive to provide "moderate-income" housing as part of for profit housing developments, but which has so many loopholes that, in many cases, it is just naked welfare for the rich. Many of these landlords received the benefit "of right" (because of geographical location) and did not include any affordable housing at all in their projects.

Silver is also accused of influencing legislation regarding pay-outs to people who have become ill with or died from mesothelioma, a form of cancer associated with exposure to asbestos. In additional to his legislative salary and that from Goldberg & Iryami, Silver received a salary from Weitz & Luxemburg, a law firm representing workers who contracted mesothelioma. Some of the legislation earmarked money from various state funds for mesothelioma victims, which firms like Weitz & Luxemburg would get a percentage of when their clients would collect money. According to the criminal complaint, Silver allegedly got a doctor to refer mesothelioma cases to the firm in exchange for research grants, and cashed in at $5.3 million. One of Silver's longtime associates, Brian Meara, provided key information to investigators in exchange for a non prosecution agreement, as did the physician involved in the asbestos cases.

Silver's claims that he is a personal injury lawyer are also a sham, according to investigators, who say he hasn't appeared in court on behalf of a client in over a decade. At a press conference, U.S. Attorney Preet Bharara asked aloud what, exactly, Silver does, before answering with "He does nothing."

26 Years Ago in the Shadow: March 1989, Issue #1

MAYOR DE BLASIO: SAVE NYC'S CHARACTER

Continued from page 2

We must start organizing not just to save one small business, one at a time, but to protect them all at once. We must demand that the City fix this problem immediately. No more waiting around for it to get better. No more denial. No more asking nicely. No more bullshit.

Here are a handful of steps that I believe will help:

1. Pass the Small Business Jobs Survival Act to create fair negotiations of commercial lease renewals, so that landlords can't use insane rent hikes to evict dependable and beloved business people:
   - Read more about the bill at Small Business Congress: < http://savenycjobs.org/history of sbjsa >
   - Call and write your local council members and tell them to pass this bill NOW! [NY City Council: < http://council.nyc.gov/html/members/members.shtml >]
   - Tweet your local council member: @NYCCouncil and @MMViverito every day telling them to pass SBJSA
2. Start a Cultural Landmarks program. While general commercial rent control may be unworkable, we can protect what little remains of the city's oldest and most beloved small businesses by creating a selective rent control program. Rent control can be gifted to businesses that qualify for Cultural Landmarking. Local communities can nominate the businesses they want to protect. San Francisco is leading the charge in this department. [See SF Heritage: < http://www.sfheritage.org/ > for how they're doing it.]
3. Control the spread of chain businesses. Again, City Hall must follow the example of San Francisco, where the city controls "formula retail." If former Mayor Giuliani could keep adult businesses from operating near one another, then de Blasio can keep national chains from doing the same. Starbucks and Marc Jacobs should not be allowed to have multiple stores within a few blocks, and we don't need a Walgreens down the street from a CVS. A few chains are not a problem, but New York is strangling in them. They drive up rents, contributing to the eviction of small businesses, as they destroy the unique character of the urban landscape, turning the city into Anywhere, USA.
4. Take the million dollar tax breaks away from Big Business and give them to Mom and Pop — and to Grandma and Grandpa.

Businesses that own their buildings are not safe either. Let's stop fooling ourselves with that one. They struggle with sky high water bills and a Kafkaesque Department of Health that is lousy with corruption. They often don't know how to market themselves in the new age of social media, and they're being bled alive by encroaching chains. Tax breaks, lower fees for violations, and help with creative marketing would go a long way.

On the DOH issue: Why are small businesses penalized at the same rate as multinational corporate chains? Penalties should not be "one size fits all". The system is rigged. Fix it.

5. Fine landlords who leave commercial spaces vacant, creating blight and blocking out small business people while they wait for the right sky high price.

In 2008, writing on the death of bohemian Greenwich Village, author Christopher Hitchens put it well: "On the day when everywhere looks like everywhere else we shall all be very much impoverished, and not only that but — more impoverishingly still — we will be unable to express or even understand or depict what we have lost."

It is time to take action and to demand action from our city government. Save New York!

Start now:

1. Copy the text here, edit it to your liking, and then mail it, email it, tweet it to Mayor Bill de Blasio and your local councilmember. Send it to Council Speaker Melissa Mark Viverito [< http://council.nyc.gov/d8/html/ members/home.shtml >] and to Public Advocate Letitia James [< http://pub advocate.nyc.gov/ >]. Councilmember Corey Johnson, State Senator Brad Hoylman, Manhattan Borough President Gale Brewer, and Assemblymember Richard Gottfried are strong allies in this fight. Contact them and let them know you want these changes NOW and you will give them your support in this fight.
2. Join the Save New York Facebook page at: https://www.facebook.com/groups/763749397012336 to start organizing with other New Yorkers today.
3. Use the hashtag #?SaveNYC? [< https://twitter.com/search?f=realtime&q=%23savenyc&src=typd >]
4. Get angry!

[Jeremiah Moss runs the popular blog "Vanishing New York" at: http://vanishingnewyork.blogspot.com]

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"It's Worth The Trip Down The Street!"

TOMPKINS SURVEILLANCE CAMERAS

Continued from page 10

prosecuted for violating U.S. sanctions against "terror-supporting clients."

There is so much wrong with this arrangement it fairly boggles the mind. First and foremost, even though the "war on terror" is supposedly fought in the name of protecting the American citizen from attack, the financial rewards of this successful criminal prosecution of a "supporter" of "terrorism" are not given to the citizens — think of what $8.83 billion could mean to the poor people of this country (no one would be hungry or homeless for decades)! — but to the government that "protects" and rules in the name of the citizenry.

Lots of insiders in the anti-terrorism protection racket must be getting Paribas-derived Christmas presents this year. If the Department of Justice took in $8.83 billion, and gave the Manhattan D.A.'s Office $448.7 million and the City of New York $447 million, what did the DOJ do with the remaining $7.934 billion? And if the NYPD got $160 million and bought $18.5 million worth of mobile devices, what happened to the remaining $141.5 million? Where did it go? Couldn't one of these fine, upstanding institutions find a way to give the American citizen a little piece of the Paribas pie? Not even a crumb?

How about when the business partnership formed by the NYPD and Microsoft sells someone the software that runs the Digital Awareness System? (Oh, you didn't know that the NYPD is literally in the business of fighting crime? Well, it is.) According to eWeek, quoting then-Mayor Bloomberg, "the NYPD will receive 30 percent of revenue from the sales of the DAS system to other customers worldwide" (Aug. 9, 2012). This certainly gives the cops, shall we say, an added incentive to make the DAS a demonstrable success. But does demonstrable success mean that Christmas presents will be given to the people of New York?

No, the people don't get any dividends from the "war on terror." But they do get something, a kind of consolation prize, which is the dubious satisfaction of knowing that there are tens of thousands of NYPD cameras in operation (3,000 in the DAS alone); that these cameras are installed in public places in virtually every neighborhood in the city; that, via remote control, these cameras can pan, tilt and zoom in and out, which means they can be used to monitor and track a person's behavior and movements in great detail, up close or from a mile away; and that the live feeds from these cameras — and others that have been linked to the system — can not only be watched by officers in the "command center" at One Police Plaza, but also by every single officer, whether he or she is on foot or in a squad car.

Precisely because these state-of-the-art cameras are OCTV, not CCTV, they have obvious vulnerabilities. The signals coming from them can be interfered with or even blocked by certain physical objects and other, more powerful broadcasting units. And, if those signals are not both password-protected and encrypted, they can easily be surreptitiously monitored by anyone with the proper equipment.

But the advantages of the new OCTV system are enormous. A cop with a handheld device that allows him or her to access the feeds from 3,000-plus cameras can be in (at least) two places at once: where he or she is standing or sitting, using his or her own eyes to see, and where the cameras are installed, using their digital lenses to make broadcast-quality video images, which means virtually anywhere in the entire city. What could possibly escape this officer's superhuman glance?

Let's set aside any doubts we might have concerning the decisions to no longer use Android phones (part of the trial-runs, apparently) and to switch to Microsoft; the current inexistence of any smart-phone or tablet running Windows software that allows for fingerprint scanning; or the ability of the service provider (one hasn't been chosen yet) to provide the necessary services. Let's assume that the new system will work just as advertised, and won't be another boondoggle.

OK: giving each cop an NYPD smart-phone will mean that each cop will now have two such phones: his or her own personal one, and the new one, the Christmas present. Is it realistic to expect that the cops will be able to do their jobs and juggle two smart-phones at the same time? Isn't it likely that, after spending hours and hours "keeping up to date" via two smart-phones, the cops will end up overwhelmed with data and mentally exhausted? Or that they will become distracted and semi-hypnotized? Or bored to death and indifferent to absolutely everything?

No one could. And so the predictable result of the introduction and widespread use of these new "smart" devices will be an intensification of the results produced

by the introduction and widespread use of surveillance cameras in public places: increasing isolation, desensitization and technological militarization on the part of the police; increasing distrust, fear and anger on the part of the policed communities. Rather than trying to stop or even reverse this process of social deterioration, the NYPD or rather the people who make decisions for it have chosen to exacerbate it. Deliberately.

Think of it this way: the new cameras are there, not so that the cops can watch the streets from up-close and reduce their response time as much as possible, but so that they can watch from a distance and respond if, when and where they choose to. This certainly signifies a change in the type of "crime" that is being "fought": it is no longer crimes of opportunity (purse snatchings, for example), against which rapid response is necessary, but crimes of disobedience (unlawful assemblies in public places, unlawful use of the right to free speech, unlawful violation of curfews, etc.), against which rapid response is, perhaps, imprudent. Better to see how it develops, right?

Furthermore, if these crimes of disobedience "turn violent," if you believe that there's a "war on cops" going on right now (New York Post), and if you believe that the long-established militarization of the police is required by the new threats that the cops face, then watching through surveillance cameras from a distance is more than just an assurance of the cops' personal physical safety. It is also a way of getting the police on a war footing; uncivil war here in the American "homeland" is clearly on the horizon.

So let's be clear: if Ferguson, Missouri, is indeed the American equivalent of Gaza or Baghdad, then the upcoming uncivil war will be fought by the new type of occupier: the one who retreats and then blockades and occupies from a distance; the one who watches and kills from afar, from the skies above, all the while fantasizing about the advantage of genocide from the safety of his or her bunker.

the SHADOW Mail Order

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• **BLACKLISTED NEWS: SECRET HISTORIES FROM CHICAGO TO 1984**: A compilation of underground news, stories, flyers, photos, art and more, published by the Youth International Party (YIPPIE!) from 1967–1984. This book is out of print and cannot be found anywhere else. 735 pgs. $30.00 + $4 shipping.

• **WAR IN THE NEIGHBORHOOD**: World War Three Illustrated co-founder and editor Seth Tobocman documents a decade of struggle against police brutality + gentrification on the Lower East Side by way of stories told in Tobocman's unique black and white drawings. This out of print book sells for up to $100 on Amazon. 328 pgs. $50.00 + $4 shipping.

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VIDEOS:

Videos are non-returnable.

Defective tapes or discs will be replaced.

• **911 MYSTERIES**: Filmmaker Sofia Safqat addresses demolitions at the World Trade Center on Sept. 11, 2001. Chapters include: WTC design + construction; Facts about steel; Building collapses; Basement explosions, interior blasts and ground level explosions, all before the collapses of both WTC towers; Visible explosions just before and as the towers collapsed; Molten metal; The demolition industry; " Who knew?" with admissions of prior knowledge by NYC Mayor Rudy Giuliani and WTC leaseholder Larry Silverstein; The strange collapse of 7 WTC, which was never hit by a plane. This documentary is a MUST have!! Approx. 90 min. (DVD) Only $6.00

• **911: IN PLANE SITE**: Power Hour radio show host Dave von Kleist (www.thepowerhour.com) presents and analyzes mainstream media footage to raise questions about what type of planes hit the WTC twin towers and the Pentagon on Sept. 11, 2001, WTC leaseholder Larry Silverstein's admission of decision to "pull" 7 WTC, interviews with firefighters who heard explosions throughout the WTC towers before they collapsed, and other footage broadcast only once and never seen again. Extras include local Oklahoma City TV news reports on April 19, 1995 on several high-powered explosives discovered in and removed from the Murrah Federal Bldg after the first explosion. These reports were killed by the following day and were not seen again!! Approx. 60 min. (DVD) $6.00.

• **LOOSE CHANGE 2**: A great companion to 911: In Plane Site, emphasizes controlled demolitions as the cause of the WTC collapses, examines Pentagon and WTC hits, black boxes, reports of WTC explosions, footage of explosives bursting from sides of twin towers, the shooting down of Flight #93 over PA, cell phone calls from passengers, phoney Bin Laden footage used by media, and more. Approx. Highly recommended! 60 min. (DVD) $6.00.

• **UNCOVERED: The Whole Truth About The Iraq War**: Takes you behind the walls of government, as CIA, Pentagon and foreign service experts speak out, many for the first time, detailing lies, misstatements and exaggerations that served as the reasons to

fight a "pre-emptive" war that wasn't necessary. This documentary offers an in depth look at the unsettling distortion of intelligence and "spin and hype" presented to the American people, the Congress and the press. Fighting wars to bring about regime change is in breach of international law, yet, throughout the Fall of 2002, and into the weeks preceding the invasion of Iraq in March 2003, the Bush administration systematically distorted intelligence evidence and misled the public in order to turn opinion in favor of "regime change" in Iraq. Features interviews with more than 20 experts and footage of Bush and his cabinet members repeatedly insisting they have verifiable proof of Iraq's WMD. 56 min. (DVD) $10.00.

• **OUTFOXED: Rupert Murdoch's War On Journalism:** "Fair and balanced"??? How about anything BUT?!?! For the first time ever, this documentary reveals the secrets of former Fox news producers, reporters, bookers and writers who expose what it's like to work for Fox News. These former Fox employees talk about how they were forced to push a "right wing" point of view or risk their jobs. Examines media mogul Rupert Murdoch and his Australian company, News Corp., tracing how the Federal Communications Commission (FCC) helped Murdoch break the rules to establish a fourth network in the US. Many extras. (DVD) $10.00.

• **UNCONSTITUTIONAL: The War On Our Civil Liberties**: Made in conjunction with the ACLU; details the shocking way that civil liberties of American citizens and immigrants alike have been infringed upon, curtailed, and rolled back since 9/11 and the USA PATRIOT Act, with facts and stories that illuminate administration lies, wrong-headed policies, and the real victims of these actions — the American people. 60 min. (DVD) $10.00.

UNCONSTITUTIONAL
The War On Our Civil Liberties
From the Producer & Director of OUTFOXED and UNCOVERED – Robert Greenwald

• **PAINFUL DECEPTIONS: An Analysis of the September 11th Attack**: (A video supplement to the book Painful Questions by Eric Hufschmid) Could Osama Bin Laden pull off such a devastating attack? Can steel buildings collapse and crumble into dust? Did an unseen jet liner hit the Pentagon? These and other questions are answered in this powerfully analyzed, scientifically accurate presentation. Approx. 90 min. (DVD) $10.00.

SPECIAL OFFER:

PAINFUL DECEPTIONS + PAINFUL QUESTIONS:

BUY THE DVD + BOOK FOR ONLY $20.00 (plus $4.00 shipping)

YOU SAVE $5.00!

• **TOMPKINS SQUARE PARK: OPERATION CLASS WARFARE ON THE LOWER EAST SIDE**: This 1992 documentary pieces together the unofficial story behind the Tompkins Square Police Riot of 1988 and reveals the ugly side of forced gentrification in New York City, tracing the transformation of Tompkins Square Park from a tent city for homeless people and bastion of free expression for artists, bohemians, rebels and crazies, to a central battleground in the fiercely contested class war over the Lower East Side; to a riot scene complete with burning trash cans and unwarranted police violence; to an empty, fenced in wasteland; and finally, to the safe and sterile environment it is today. Features interviews with people who lived in the park, those that defended their right to do so, and footage from the riots, rallies and protests that occurred in and around the park. 60 min. (DVD) $10.00.

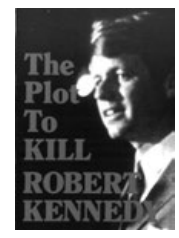
• **TAKE OVER**: This 1990 documentary by Pam Yates and Peter Kinoy was shot simultaneously in eight U.S. cities on May 1, 1990 as homeless people risked arrest by occupying properties foreclosed by the Federal government. (DVD) $10.00.

• **YOUR HOUSE IS MINE**: This 2004 documentary by Caroline McCaughey covers the history of squatting in the Lower East Side of Manhattan from the early 1980's to 2004, as told by squatters and details the deal made by squatters with housing group UHAB to keep their homes. (DVD) $10.00.

• **BUSH FAMILY FORTUNES**: Award winning reporter sleuth Greg Palast on the trail of the Bush family, from the 2000 Florida election finagling, to the Saudi connection, to the Bush team's spiking the FBI investigation of the bin Laden family and the secret State Department plans for post war Iraq. Based on Palast's hard-hitting investigative reports for the BBC, the UK's Guardian and Observer newspapers, and his book The Best Democracy Money Can Buy. Contains exclusive extras, interactive documents and montage art by Winston Smith. 60 min. (DVD) $15.00.

• **THE TWO KENNEDYS**: Carefully untangles the web of conspiracy between organized crime, anti-Castro exiles and oil barons, that resulted in the assassinations of John and Robert Kennedy. Very rare, Approx. 115 min. (DVD) $15.00

• **THE PLOT TO KILL ROBERT KENNEDY**: Investigative journalist Ted Charak dissects the assassination of RFK with witnesses and forensic evidence, exposing destruction of evidence and other cover-up attempts by police. Very rare. Approx. 95 min. (DVD) $15.00.



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• **WEAPONS OF MASS DECEPTION**: There were two wars going on in Iraq–one was fought with armies of soldiers, bombs and a fearsome military force. The other was fought alongside it with cameras, satellites, armies of journalists and propaganda techniques. One war was rationalized as an effort to find and remove Weapons of Mass Destruction — the other was carried out by even more powerful Weapons of Mass Deception. Put together by Danny Schechter "The News Dissector" of Globalvision. Highly Recommended! 98 min. (DVD) $20.00.

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